

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

On March 12, 2012, Energy and Water Solutions [MFR] decided that a defect which relates to motor vehicle safety 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: March 27, 2012

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.

N/A_____

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

Richard Barnes President_____

Telephone Number: 801-825-5580 Fax No.: 801-825-5428

Name and Title of Person who prepared this report.

Richard Barnes President

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.

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 Ms. Jennifer Timian at (202) 366-0209, by FAX at (202) 366-7882, or by E-Mail to 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): N/A Model Years Involved: N/A Model(s): N/A

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:

We do not know what vehicle any of the CNG tanks were installed in. We just know who we sold the tanks to.

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:

N/A

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:

N/A

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 Potentially Involved</u>
N/A		

Total Number Potentially Affected by the Recall: _____

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

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:

N/A

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.

For the past year we sold some CNG tanks that are ISO 11439 certified for motorized vehicles. We also sold CNG tanks that are DOT-FMVSS304 certified. The ISO certified tanks have a non-compliant label, and need to have at DOT label to be compliant. These ISO tanks are all either type1 steel or type 2 steel with a composite wrap. The ISO certification is the international safety standard and is used by most countries. The ISO certification and testing is very similar to the DOT certification and testing. Until last month, we were not aware of the DOT requirement of CNG tanks used for motorized vehicles. We immediately stopped selling ISO tanks for motorized vehicles as soon as were aware of the DOT requirement.

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

For the past year we sold some CNG tanks that are ISO 11439 certified for motorized vehicles. We also sold CNG tanks that are DOT-FMVSS304 certified. The ISO certified tanks have a non-compliant label, and need to have at DOT label to be compliant. These ISO tanks are all either type1 steel or type 2 steel with a composite wrap. The ISO certification is the international safety standard and is used by most countries. The ISO certification and testing is very similar to the DOT certification and testing. Until last month, we were not aware of the DOT requirement of CNG tanks used for motorized vehicles. We immediately stopped selling ISO tanks for motorized vehicles as soon as were aware of the DOT requirement.

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

We discussed the ability of the ISO certified tanks to pass the DOT testing with Frank Jensen, the vice president of Authorized Testing Inc. He said that the tanks should not have any problem passing the tests. It has been proven that CNG tanks are safer than gasoline tanks. CNG tanks whether they are ISO certified or DOT certified are less likely to catch fire, and less likely to leak fuel in an accident. There are over 12 million CNG tanks being used safely in motorized vehicles worldwide and about half of them are ISO certified tanks. These tanks are heavy steel and dropped during the ISO testing or DOT testing will not leak. If the tanks are shot with a gun they will most likely not leak, unlike a gasoline tank. Because these tanks should pass the tests, are certified with similar certification testing, and because CNG tanks are safer than gasoline tanks, we feel the tanks are not a safety hazard.

These tanks are heavy steel and dropped during the ISO testing or DOT testing will not leak. If the tanks are shot with a gun they will most likely not leak, unlike a gasoline tank. Because these tanks should pass the tests, are certified with similar certification testing, and because CNG tanks are safer than gasoline tanks, we feel the tanks are not a safety hazard.

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

N/A

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

Energy and Water Solutions

902 W 2010 S

Syracuse, Utah 84075

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

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.

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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.

We are working with the manufacturer of the tanks, the tank valve company, and with the DOT testing facility Authorized Testing Inc. in Riverside, California to get the ISO certified tanks we sold DOT certified. We will need to get at least 3 different tanks tested. We have to design, make, and apply the DOT labels to the tanks to be tested. We are negotiating who will pay for the tanks, shipping, and testing. Myself, the tank manufacturer, the valve manufacturer, and the testing facility are all communicating with each other to get the details worked out, which will take a couple of weeks. The tanks to be tested will be shipped from China via sea. This will require at least 12 tanks as it requires 4 tanks for each tank certification. All this will take 2 to 3 months to accomplish. I will inform you of the test results as soon as they are completed.

We discussed the ability of the ISO certified tanks to pass the DOT testing with Frank Jensen, the vice president of Authorized Testing Inc. He said that the tanks should not have any problem passing the tests. It has been proven that CNG tanks are safer than gasoline tanks. CNG tanks whether they are ISO certified or DOT certified are less likely to catch fire, and less likely to leak fuel in an accident. There are over 12 million CNG tanks being used safely in motorized vehicles worldwide and about half of them are ISO certified tanks.

These tanks are heavy steel and dropped during the ISO testing or DOT testing will not leak. If the tanks are shot with a gun they will most likely not leak, unlike a gasoline tank. Because these tanks should pass the tests, are certified with similar certification testing, and because CNG tanks are safer than gasoline tanks, we feel the tanks are not a safety hazard.

After the tanks pass the DOT tests, we will provide a DOT label free of charge to be attached to the tanks to every customer we can reach. We know which tanks we sold to our customers but we do not know which vehicle they were installed on. Nearly all tanks were installed in the bed of pickup trucks as nearly all the tanks we sold are too large to install anywhere else, and we know nearly all our tanks were sold for pickup trucks.

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.

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

After the tanks are tested and the new label is applied the tanks will be in compliance.

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.

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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.

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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.

N/A

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