

DEC 17 2009

**MODIFICATION NO. 1 TO THE INTERAGENCY AGREEMENT BETWEEN
THE U.S. CONSUMER PRODUCT SAFETY COMMISSION (CPSC)
AND THE
DEPARTMENT OF ENERGY (DOE)/NATIONAL NUCLEAR SECURITY
ADMINISTRATION (NNSA)/SANDIA SITE OFFICE (SSO) (CPSC-I-09-0020, SNL Prop
018090709)**

TITLE: Electrical and Fire Safety Component Analysis and Accelerated Corrosion Testing

I. PROJECT OVERVIEW

Imported drywall installed in U.S. homes from about 2004 to 2006 appears to be causing corrosion to central air conditioner evaporator coils, copper plumbing and exposed copper wiring. There have been reports of failure of electric appliances, TVs and switches in affected homes. A spectrum of health effects have been reported by residents as well. The CPSC technical staff is responsible for assessing the health and safety risks that may be posed by the emissions of this drywall. The testing at Sandia National Laboratories (SNL) set forth in the baseline IAG will consist of two major phases: (1) examination of various components removed from affected residences and (2) a qualitative assessment of the reaction of new components to elevated levels of gases as part of an accelerated corrosion test program.

As SNL started the analysis of harvested components in September 2009, CPSC staff requested that Sandia provide an interim report on the initial findings of the metallurgical analysis in addition to the final report. Also, it was apparent that additional work beyond the original agreement would be necessary based on the number of components that were harvested and some additional analytical methods that were not anticipated until the first components were examined. The additional report and tasks require both an extension of the expiration date of the agreement and \$85,000 in additional funding

II. PROPOSED NEW WORK

- A. Field Component Analysis of Electrical Parts
 - i. Additional optical photos (both in assembled and disassembled state)
 - ii. Characterization of depth and id of corrosion product for additional parts
 - iii. Characterization of metal composition of conductor materials (wires, screws, contact plates)

- B. Gas Exposure Testing of Electrical and Fire Components
 - i. Optical characterization of parts before and after exposure - additional time needed to cover disassembly and number of subcomponents to be photographed
 - ii. Characterize depth and identity of corrosion product on representative parts
 - iii. Optical characterization of fire components

- iv. Evaluation of gas testing results and determination of gases and gas concentrations to be used in exposure tests

C. Meeting and reporting

- i. Additional time needed
- ii. Additional report (Interim)

III. DELIVERABLES

SNL is responsible for an interim technical report documenting the initial phase of metallurgical analysis of a reduced set of components. Data that has been produced as a result of tests funded by CPSC may not be shared with outside entities unless permission is granted by the CPSC.

IV. FUNDING

CPSC funds will be directed for the additional tasking. SNL will provide the staff, facilities, and major analytical equipment needed for all testing and analyses. Estimated funding requirements for the interim report and all other associated costs is \$85,000.

V. TIMING

Protocol development and analysis of harvested components began in FY'09. Initiation of accelerated corrosion testing is contingent upon the completion of testing by LBNL under a separate IAG with CPSC, and an analysis of those results to determine appropriate gas concentrations for accelerate life testing of the electrical components. The interim report shall be provided to CPSC at the completion of the initial phase of analysis. All other analyses shall be completed in accordance with the original agreement.

VI. REPORTING REQUIREMENTS

SNL will provide a copy of the final draft interim report on the initial phase of metallurgical analysis of a reduced set of components.

VII. CONFIDENTIALITY REQUIREMENTS

This work is being funded to support a federal investigation that has potential for litigation. Except as may be required by the Freedom of Information Act or any other provisions of law or order from a court of competent jurisdiction, any information developed from this IAG must be held in the strictest of confidence and may not be shared with outside entities unless permission is granted by CPSC.

Notwithstanding the forgoing, SNL shall have the right to publish all information developed from this IAG, and to create derivative information there from, without restriction or permission, once CPSC has completed its regulatory action.

VIII. ACCOUNTING DATA

For CPSC:

ALC: 61-00-0001
TIN: 520978750
DUNS: 069287527
US TREAS CODE: 61100100

For DOE:

ALC: 89-00-0001
TIN: 530197006
DUNS: 155505027
US TREAS CODE:

10 PS EXFM 4400 33712 253A \$85,000

IX. DISAGREEMENTS

In the event that CPSC and DOE/NNSA/SSO or SNL have a disagreement arising under this Interagency Agreement, the parties shall cooperatively seek to resolve the disagreement by themselves. If the disagreement cannot be resolved between them, the parties agree to seek the assistance of a third party in resolving the disagreement.

X. POINTS OF CONTACT

For CPSC:

Mark Gill
Directorate for Engineering Sciences
Consumer Product Safety Commission
4330 East West Highway, Room 611
Bethesda, Maryland 20814-4408
Phone: (301) 504-7568
Email: mgill@cpsc.gov

For SNL:

Jill Glass
Materials Reliability
Dept. 1825, MS0889
Sandia National Labs
Albuquerque, NM 8715-0889
Phone: (505) 845-8050
Email: sjglass@sandia.gov

XI. AUTHORITY

1. This Agreement is authorized under 6(c) of the Consumer Product Safety Act (15 U.S.C. 2054(c) and 29(d) of the Consumer Product Safety Act, (15 U.S.C. 2078(d)).

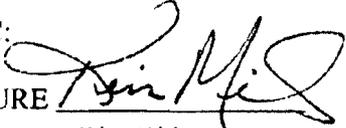
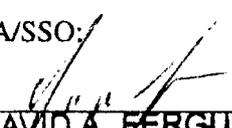
DEC 17 2009

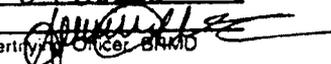
- 2. The requesting Agency (CPSC) has determined that entering into an agreement with DOE/NNSA is in compliance with competition requirements in Federal Acquisition Regulation (FAR) Part 6, Section 6.002, Limitations; and
- 3. To the best of the requesting Agency's knowledge, the work will not place DOE/NNSA and their contractors in direct competition with the domestic private sector (reference FAR 17.504(e)).

XII. PERIOD OF AGREEMENT

This Agreement becomes effective upon acceptance by both parties, and will continue in effect through July 31, 2010. It may be modified by mutual written consent or terminated by either party upon a 30-day advance written notice to the other party.

XIII. APPROVALS

For CPSC:		For DOE/NNSA/SSO:	
SIGNATURE	<u>Kim Miles</u>	SIGNATURE	<u>DAVID A. FERGUSON</u>
TITLE	<u>Contracting Officer</u>	TITLE	<u>CONTRACTING OFFICER</u>
DATE	<u>11-25-09</u>	DATE	<u>12/17/09</u>

1720372
 CERTIFICATION OF AVAILABILITY OF FUNDS
 400890000 3Z
 SNL \$ 62,524.27
 30 \$ 2,475.73
 CPSC # 090020
 Date: 12/15/09 
 Annette M. Whitaker, Certifying Officer, BRMD
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