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**Modification 0001 to
MEMORANDUM OF AGREEMENT CPSC-I-09-0014
between the
Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
and the
United States Consumer Product Safety Commission (CPSC)**

I. Introduction

On September 9, 2009, a Memorandum of Agreement (MOA) between CPSC and ATF was finalized. The entire MOA is now identified as Interagency Agreement (IAG) CPSC-I-09-0014. This document is modification 0001 to the IAG to provide \$76,169 in funds from CPSC to ATF for the purposes described herein. This amendment to the ATF-CPSC MOA describes the work related to Mattress Flammability Testing. This effort will consist of fire testing using open hood calorimetry of full-size mattresses and/or non-foundation type mattresses to (1) maintain the CPSC staff knowledge of the test methods in 16 CFR 1633, *Standard for the Flammability (Open Flame) of Mattresses and Mattress/Foundation Sets*; and (2) conduct compliance testing of commercially available mattresses and mattress/foundation sets. The CPSC staff will lead the testing efforts with support from ATF fire test facility staff to assist in setting up tests, recording and monitoring data, and cleaning up after tests. CPSC also requires sample tracking, storage, conditioning, and control for certain items. The current scope envisioned by CPSC for this test work is given below.

Section IV (5) of the original agreement is revised to add (a) to read:

- (a) The original IAG did not obligate funds. Funding transfers between ATF and CPSC will be the subject of modifications to this agreement.”

II. Description of Services

CPSC staff plans to conduct full-scale mattress tests in accordance with 16 CFR 1633, *Standard for the Flammability (Open Flame) of Mattresses and Mattress/Foundation Sets* in order to evaluate commercially available sleep-surface products for compliance with the regulation. This effort will also include testing of the calorimetry system twice per week of testing.

An initial test period of approximately 3 days will precede scheduling of actual compliance test periods in order to allow CPSC and ATF staff to evaluate all elements of the program and to make any necessary adjustments. This will include evaluating the sample delivery, storage and conditioning procedures, as well as assessing the roles of both ATF and CPSC staff in conducting the tests.

III. Scheduling and Cost Consideration

Costs to CPSC to use the ATF lab for the testing outlined in this amendment will include test space rental, fire test area hood operations for full-scale testing, and related ATF staff support charges. The area to be used for the full-scale testing of this phase is estimated at an effective average of 500 square feet per month, which includes varying mattress storage space use (~200 sq ft), test equipment set-up and storage space (150 sq ft), and part time use of office and

conference room space (~150 sq ft). CPSC staff anticipates that not more than the equivalent of 30 twin-size mattresses will need to be stored at the ATF laboratory at any one time.

Where full-scale mattress testing is anticipated, CPSC staff will require use of one of ATF's smaller capacity (1 to 4 MW rated) test area hoods capable of handling the expected mattress heat release rates. ATF will provide staff support to the CPSC staff for calorimetry systems set-up and calibration, test area set-up, facility operation, data recording, fire suppression, and clean-up and disposal. For efficiency of operating the ATF calorimetry hoods, testing will be conducted in 3- to 5-day test blocks, which include facility set-up and appropriate equipment calibration checks followed by testing, with a goal of completing up to 35 full-scale tests per week. CPSC and ATF agree to schedule testing in 3- to 5-day test block series with a lead time of three to four weeks to allow for adequate test planning and preparation by both CPSC and ATF staff, including time for ATF to purchase the necessary supplies for CPSC, sample conditioning, test equipment check-out and calibration, and facility scheduling, with the goal of maximizing the number of full-scale tests conducted in a test block.

CPSC staff anticipates a need for 6 weeks of testing during the period from February 16, 2010 through September 30, 2010, in addition to the initial shake-down test period. If not all of the test weeks are used during this period, funds will remain available beyond the initial planning period until 6 weeks of mattress compliance testing are completed. A separate modification would be issued to add additional test weeks either during or beyond September 2010. Given that there is uncertainty in the exact number of full-scale tests to be conducted, CPSC and ATF agree that this represents a total cost commitment by CPSC of \$69,036 (\$11,506 per week) for the full-scale testing and \$7,133 for the initial 3-day test period for evaluation purposes. This results in a grand total of \$76,169 to be transferred to ATF.

IV. Modification and Cancellation

This agreement shall become effective immediately upon signature by both parties and shall remain in effect unless terminated by either party. This agreement may be modified by mutual consent of both parties or cancelled upon 60 days advance written notice by either party.

V. Payment

CPSC agrees to provide \$76,169 in funds to ATF for the purposes described above. Payment shall be made through the Government On-Line Payment and Collection (OPAC) System or other methods deemed acceptable to both parties. Funds will remain available until used to complete all services described herein.

VI. Funding

Accounting Information	<u>From CPSC</u>	<u>To ATF</u>
Agency Location Code:	61-00-0001	
TIN:	520978750	
DUNS:	069287522	
Appropriation No.:	61-0100	

Common Account No.: 0100A10DPS 2010 3110000000 EXHR004200 252B0
Amount: \$76,169.00 \$_____

VII. Principal Points of Contact:

CPSC:

Andrew Stadnik, Associate Executive Director, CPSC, 10901 Darnestown Road, Gaithersburg, MD 20878, telephone: 301 424-6421 ext. 131

Lisa Scott, Electrical Engineer, CPSC, 10901 Darnestown Road, Gaithersburg, MD 20878, telephone: 301 424-6421 ext. 128

ATF:

John Allen, Chief, Fire Research Laboratory, National Laboratory Center, 6000 Ammendale Road, Beltsville, MD 20705-1250, telephone: 240 264-1301

David Tucholski, Fire Research Engineer, Fire Research Laboratory, National Laboratory Center, 6000 Ammendale Road, Beltsville, MD 20705-1250, telephone: 240 264-1328

VIII: Approvals:

CPSC:

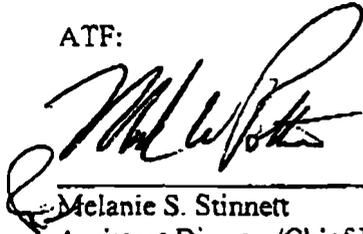


Donna Hutton
Contracting Officer
U.S. Consumer Product Safety Commission
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4/1/16

Date

ATF:



Melanie S. Stinnett
Assistant Director/Chief Financial Officer
Office of Management
ATF National Laboratory Center
6000 Ammendale Road
Ammendale, MD 20705-1250

3/19/10

Date