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-1-09-0020, 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 exposed copper
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 accelerated 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: siglass@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).
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: 

SIGNATURE: Kim Miles
TITLE: Contracting Officer
DATE: 11-25-09

For DOE/NNSA/SSO:

SIGNATURE: David A. Ferguson
TITLE: Contracting Officer
DATE: 12-17-09

CERTIFICATION OF AVAILABILITY OF FUNDS

CPSC 090020
SN 0 362,524,274
CPSC 090020
SN 0 102,900,000

Date: 12/15/09
Annette M. Winmeder, Cerfied Financial Analyst