

JUN 07 2010

MODIFICATION NO. 2 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 consists 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.

While SNL has completed the first major phase of work, the second phase is underway but subsequent events have resulted in additional information that needs to be incorporated into the overall analysis. Sources of new information include the results of the first phase of the testing indicating the necessity to test in the most severe corrosive environment and a multi-district civil lawsuit that is being administered by a Louisiana federal court. Consideration of the technical opinions rendered by expert witnesses and the subsequent emergence of additional tasks require both an extension of the expiration date of the agreement and \$80,000 in additional funding.

II. PROPOSED NEW WORK

- A. Safety analysis and additional operational rigor associated with Battelle Class IV environment
- Determine air flow, temperature, gas concentrations
 - Design test circuits
 - Set up three sets of powered electrical components in enclosures (to increase air flow and contaminant exposure)
 - Monitor changes in resistances of powered circuits either by real-time data logging or by periodic manual measurements
 - Photo graph all electrical components before test starts for baseline in case of failure

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- B. Conduct study on long-term effects of hydrogen sulfide on nonmetallic cable jacketing/insulation
- C. Review and analyze supporting documentation/testimony of civil litigation; conduct additional research as necessary to resolve technical differences

III. DELIVERABLES

SNL is responsible for incorporating results of additional analyses, as indicated in Part II (B) and (C) into the final report outlined in Part III of the original agreement in accordance with the timing set forth in Part V under this Modification (No. 2). 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 \$80,000.

V. TIMING

A draft of the final report, as delineated in Part VI of this modification, shall be provided to CPSC staff within two (2) weeks of the completion of the analysis of components subjected to the Class IV accelerated corrosion testing for review by CPSC staff.

SNL staff shall incorporate changes to the draft report based on the CPSC Project Officer's comments into the completed final report. SNL shall submit the completed final report to the CPSC Project Officer within one (1) month of receipt of comments from the CPSC Project Officer.

VI. REPORTING REQUIREMENTS

The draft final report shall include a detailed description of the protocol used, tests/analyses performed, findings and conclusions. The CPSC Project Officer will review the draft final report and submit comments to SNL staff, as necessary, within two (2) weeks of receipt of the draft final report.

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

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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:

For DOE:

↙ ALC: 61-00-0001
TIN: 520978750
DUNS: 069287522
US TREAS CODE: 61-0100

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

0100A10DPS 2010 3371200000
EXFM004400 253A0 \$80,000

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:

For SNL:

Mark Gill
Directorate for Engineering Sciences
Consumer Product Safety Commission
4330 East West Highway, Room 611-20
Bethesda, Maryland 20814-4408
Phone: (301) 504-7568
Email: mgill@cpsc.gov

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 Section 27(g) of the Consumer Product Safety Act, (15 U.S.C. 2076(g)).

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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 December 22, 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


Donna Hutton

TITLE

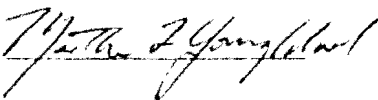
Contracting Officer

DATE

6/2/2010

For DOE/NNSA/SSO:

SIGNATURE



TITLE

Contracting Officer

DATE

6/7/2010

1720372
CERTIFICATION OF AVAILABILITY OF FUNDS

400890000 32

SNL \$ 77,669.90

SO \$ 2,330.10

CPSC F090020

Date: 6/2/10

Annette M. Winnaker, Contracting Officer, BRMD

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