



United States
CONSUMER PRODUCT SAFETY COMMISSION
Washington, D.C. 20207

CPSC/6 (b)(1) Cleared
THE SECRETARY

2003 JAN 15 AM 11:00

BALLOT VOTE SHEET

DATE: January 15, 2003

TO : The Commission
Todd Stevenson, Secretary

FROM : W.H. DuRoss, III, General Counsel *W.H. DuRoss*

SUBJECT: FY 2003 Operating and Performance Plan

BALLOT VOTE DUE:

The staff, in the attached January 14, 2003 document, recommends Commission approval of a FY 2003 Commission Operating and Performance Plan.

I. APPROVE THE RECOMMENDED OPERATING AND PERFORMANCE PLAN AS DRAFTED.

(Signature)

(Date)

II. APPROVE THE RECOMMENDED OPERATING AND PERFORMANCE PLAN WITH SPECIFIED CHANGES.

(Signature)

(Date)

III. DO NOT APPROVE THE RECOMMENDED OPERATING AND PERFORMANCE PLAN.

(Signature)

(Date)

NOTE: This document has not been
reviewed or accepted by the Commission.

Initial *nl* Date *1/15/03*

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1/15/03
No Mfrs/PrvtLbrs or

Products Identified

Excepted by _____



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Memorandum

Date: January 14, 2003

TO : The Commission

THROUGH: Todd A. Stevenson, Secretary *TAS*
W.H. DuRoss, III, General Counsel *W.D.*

FROM : Patsy Semple *PS*
Executive Director

SUBJECT : Fiscal Year 2003 Operating and Performance Plan

This memorandum requests Commission approval of the 2003 Operating and Performance Plan. The proposed plan reflects congressional action and Commission decisions or changes occurring in programs or projects since the development of the 2003 Budget and Performance Plan last February. During the extended Continuing Resolution period, staff has been following this plan developed at the start of the fiscal year

Overview

The starting points for the development of the 2003 plan were the President's 2003 budget request and what we actually spent and achieved in our programs in 2002. The President's request of \$56.8 million is still pending in Congress. The Senate Appropriations Committee recommended the President's request level, which funds 471 Full Time Equivalents (FTEs) instead of the 480 funded in 2002. The House Appropriations Committee recommended an increase of \$350,000 to restore 5 of the FTEs left unfunded in the President's request, for a total of 476 FTEs. Thus, for planning purposes, the staff has used the 471 FTE level contained in the Senate's 2003 recommendation and the President's 2003 request. We can adjust our 2003 plan if the additional funds proposed by the House are enacted.

We are currently funded through January 31, 2003 on a Continuing Resolution (CR) basis, which limits us to the same level as in 2002, or \$55.2 million. This CR funding may be extended before the final 2003 appropriation is enacted. To date, the impact has been limited but we have deferred some program travel and staff training. We also have had to issue partial annual contract orders that must be issued a second time when we receive full annual funding. However, the longer we must function under the lower rate, the more likely it is that we may be forced to defer expenditures that may impact proposed program goals in 2003. We will keep the Commission informed of the impact of continued CR funding.

The revised level of \$56.8 million is an increase of \$1.6 million over our 2002 appropriation spending of \$55.2 million. With some adjustments, it allows us to continue our current safety program into 2003. Although we will have fewer funded FTEs, 471 instead of 480 FTEs, we will have the ability to use more FTEs than actually used in our 2002 program (462

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FTEs). The proposed FTE reductions by office are shown on Attachment B. Because our actual FTE employment is below the revised ceiling, we can phase in the revised FTE changes over many months and not disrupt our immediate work. In the long-term, this reduction in funded FTEs may make future staff succession planning difficult and it does reduce our staffing flexibility; we will continually assess this and keep the Commission apprised of any developing problems.

We had 47 departures last year, including 17 retirements. During the same period, we hired 60 new employees. Our current employment is about 468 FTEs as of January 4. We have 14 pending recruitment actions to meet future attrition. We must carefully manage our staffing in 2003 to provide the staff resources needed to accomplish our performance plan goals and to stay within our funding limits.

During this Plan year, we must also take time to review and update our long-range strategic plan. We must submit a draft-revised plan to the Office of Management and Budget by March 1; the final plan is due to Congress on September 30. Staff has been working on this effort since the beginning of the fiscal year under the coordination of the Office of Planning and Evaluation.

Activity/Project Changes

The proposed activity and project changes from the 2003 President's request are described below.

Hazard Identification and Analysis (HIA). We will continue to collect death and injury data, investigate incidents, research emerging hazards, and conduct economic studies in support of hazard reduction efforts. The All-Trauma NEISS system, with funding from the Centers for Disease Control and Prevention (CDC), will continue. While we have notified CDC that NEISS case costs are rising, we believe that projected reimbursement income can fund all costs of the program this fiscal year. Staff will also develop proposals to address the concerns expressed by the House Appropriations subcommittee related to fire injuries and children's sleepwear. Total FTEs increase by 3 over the original plan reflecting time actually being devoted by field staff to conducting on-site investigations. The HIA function is allocated 65 FTEs, an increase of one over the 2002 actual use (64 FTEs).

Hazard Assessment and Reduction (HAR). HAR will operate at the same level as last year with these recommended modifications:

Fire and Electrocution Hazards

Fire – In addition to continuing planned regulatory development work on Upholstered Furniture and Mattress/Bedding Materials projects, there are these changes:

- **Clothing Textile Standard Update** – We propose adding this activity as a carry over from 2002. In 2002, the Commission issued an Advance Notice of Proposed Rulemaking (ANPR) to begin the process of amending the standard to address changes in test equipment,

consumer practice, environmental law, and textile products. In 2003, staff will respond to comments on the ANPR and develop proposed amendments, as appropriate.

- **Smoke Alarms** – Two new activities are proposed as carry over work from 2002 in addition to planned work on audibility of alarms. We propose that in 2003, staff work with a contractor (funded in 2002 by USFA and CDC) to plan a survey designed to identify the extent to which smoke alarms provide the first warning of a fire as well as collect information on the role of fire extinguishers and sprinklers. A second proposed activity would complete a USFA funded contract to determine the feasibility of a battery-operated smoke alarm that is interconnected by wireless communication.
- **Sensor Technology** – In 2003, we propose focusing this activity on the application of sensor technologies to identifying and addressing conditions that could lead to fires with clothes dryers.
- **Fire and Gas Codes and Standards** – We will work on voluntary standards as shown in Attachment C, Voluntary Standards Activities. We propose adding a voluntary standard activity on turkey fryers and boilers. We also propose deferring the voluntary standard work on fire extinguishers and gas furnaces to accommodate higher priority activities. In addition, we propose these changes:
 - **Fire Investigation Training** – This activity is continued from 2002. In 2003, we propose to pilot test the training program developed in 2002 for our field investigators. We believe that this training, which is based on NFPA 921, will enhance the investigators' ability to interact with local authorities, interpret fire investigation reports, and tailor their reports to include elements specific to the needs of CPSC.
 - **Gas Grills/LP Gas Systems** – This new activity is proposed for the staff to complete a technical review and necessary testing in order to strengthen the voluntary standards, as appropriate.
- **Electrical Codes and Standards (Fire)** – We will work on voluntary standards as shown in Attachment C, Voluntary Standards Activities. We propose adding activities on hair dryers, fixed electric heaters, and portable fans. The activity on Panelboards/Circuit Breakers is revised to conduct a data assessment and technical evaluation instead of completing voluntary standard recommendation in 2003; work in 2002 was delayed due to later than expected delivery of critical test equipment. We propose the deferral of data analysis work on Plug-in Transformers and the technical review of Small Motors to accommodate higher priority activities.
 - **Fire Indicators** – This activity is continued from 2002. In 2002, the staff worked with the University of Maryland to determine the adequacy and variability of current fire indicators used in many electrical product standards and by testing laboratories to determine the ignitability of household combustibles (e.g., draperies). In 2003, we propose conducting additional tests to refine our knowledge and develop recommendations to voluntary standards, as appropriate.

Electrocutions – We will continue work on Ground Fault Circuit Interrupters and the National Electrical Code. We propose deleting the technical review work on small power tools/garden appliances. In 2002, an engineering review of the available data indicated there is insufficient detail to determine the causes of shock and electrocution incidents. In 2003, we plan to revise

the Investigation Guidelines for these products and assign cases to obtain more information about incidents.

Children's Hazards (Head Injuries) – We will work on voluntary standards as shown in Attachment C, Voluntary Standards Activities. An activity has been added to review the *Handbook for Public Playground Safety* and update it as needed to be consistent with current voluntary standards, surfacing recommendations, and knowledge of hazards.

Children's Hazards (Other Injuries) – We will continue work on voluntary standards as shown in Attachment C, Voluntary Standards Activities. There are these proposed changes in our work:

- **Bed Rails** – This activity is added as a carryover from 2002. In 2003, staff will complete a Notice of Proposed Rulemaking (NPR) for Commission consideration. Staff will also continue to work with industry on the voluntary standard for bed rails.
- **Crib Slat Integrity** - This activity is added as a carryover from 2002. In 1996, CPSC began a rulemaking activity to address crib slat integrity. In 1999, the voluntary standard was revised to include performance requirements to address this issue. In 2002, staff completed an assessment of industry conformance to the voluntary standard. In 2003, staff plans to develop recommendations for the Commission as to whether to continue or terminate rulemaking.
- **Revise Investigation Guidelines** – We propose to begin revising the Investigative Guidelines for children's products. These guidelines are used by Field staff to collect data on incidents with children's products. Many of the guidelines were developed several years ago and do not reflect changes in products and product usage.
- **Voluntary Standards** – An activity is added on cribs (hardware-related issues) as a result of a hazard analysis done last year that indicated continuing problems in this area.
- **Playground Surfacing/Long Bone Injuries** – This technical review activity is being deferred to accommodate higher priority activities.
- **Toy Test Fixtures** – This data analysis activity is being deferred to accommodate higher priority activities.

Household and Recreation Hazards – We will work on voluntary standards as shown in Attachment C, Voluntary Standards Activities. There are these proposed changes in our work:

- **Mechanical Codes and Standards** – Voluntary standards activities have been added on stationary table saws, rotating weed trimmers, and juicers as a result of compliance investigations.
- **Suction Entrapment Guidelines** – An activity was added at Midyear 2002 and is being carried over to update the Commission's *Guidelines for Entrapment Hazards: Making Pools and Spas Safe* to reflect new products and current technology.

Child Poisonings and Other Chemical Hazards – We will work on voluntary standards as shown in Attachment C, Voluntary Standards Activities as well as continue planned work on

Chromated Copper Arsenic-treated wood in playground equipment. There are these proposed changes in our work:

- Gasoline Containers – An activity is proposed to collect and compile available information about the injuries, the market, and the costs associated with gasoline containers. There are reports of children gaining access to gasoline containers resulting in burns and/or ingestions.
- Phthalates – This activity is added as a carryover from 2002. In late 2002, staff sent a briefing package to the Commission on a petition to ban PVC in all toys and other products intended for children five years of age and under. The petition was based on the alleged toxicity of diisononyl phthalate (DINP). In November, staff briefed the Commission on this issue and is now responding to Commission follow-up questions.
- Crystalline Silica – This is added as a carryover from 2002. Crystalline silica is present in many consumer products, including play sand, building materials, and household cleansers. In 2003, staff will generate exposure data, conduct a preliminary risk assessment, and propose recommendations for remedial actions as needed. Staff will coordinate with EPA and OSHA on this activity.
- Fuel Cells – This activity was added at mid-year in 2002 and is being carried over to 2003. In 2003, staff will assess fuel cell technology, determine the potential hazards that may exist with its application to consumer products, and assess the need for voluntary standards to address these hazards.
- CO Alarms – We propose to accelerate this voluntary standards activity work from 2004. In 2003, based on long-term reliability testing, staff will recommend changes to the standard for CO alarms, if necessary, to improve the performance of alarms.
- Furnaces and Vented Appliances – We are continuing 2002 work on changes to voluntary standards for gas-fired furnaces and other gas-fired appliances to address the CO poisoning hazard. Staff will conduct appliance testing and conduct proof-of-concept testing of various sensor technologies.

It is also proposed to reestablish the international programs office to oversee and coordinate CPSC's international efforts with respect to consumer product safety standards development and harmonization, inspection and enforcement coordination and consumer education and information dissemination. This function will be staffed with 1 existing FTE planned in the Management project within the HAR program. A limited amount of operating funds is being reserved for possible use to carry out the activities of the new office.

Total HAR FTEs remain the same as originally planned. However, FTEs are reallocated among projects to meet greater staff time requirements in the chemical hazard area. While the Office of Hazard Identification and Reduction (HIR) loses 2 funded FTEs, staff time is reallocated from Compliance support to meet 2003 project needs. The HAR function is allocated the same number of FTEs as used in 2002 (85 FTEs).

Compliance. Work will continue on identifying, investigating, and recalling products with defects that pose a substantial risk of death or injury. The full range of regulated products activity continues, including enforcement of standards for toys, children's sleepwear, fireworks,

and lighters. We will continue the ATV program to monitor the ATV industry action plan that began in 1998. We have also allocated staff time to continue the recall effectiveness project that was added at Mid-year 2002 (this effort is being managed by HIR).

We are adjusting our 2003 goals for recalls or other corrective actions to better reflect our actual experience in the areas of fire and children's non-head injuries. Total FTEs decrease from the original plan by 7 to reflect a reallocation of Field staff in support of the HIA function, a reallocation of Office of Hazard Identification and Reduction staff to support HAR projects as well as FTE reductions in both the Offices of Compliance (-1) and Field Operations (-3). The revised Compliance function total of 184 FTEs, however, is 2 more than actually used in 2002 (182 FTEs).

We continue to face unknown litigation costs for several pending matters authorized by the Commission, which may require higher than normal staff, travel and contract costs. Litigation support currently allocated is expected to meet our needs. We are, however, reserving travel funds if the existing Compliance allocation proves inadequate. We will monitor costs and fund increases as needed. We are recommending increasing the field operating funds by \$21,000 to meet the rising costs of sample shipping, investigation documents, and conversion of staff to high speed internet access.

The Office of Compliance is working with HIR to develop the annual voluntary standards monitoring plan for 2003 and will discuss it with the Commission separately.

Consumer Information (CI). Work will continue under the Continuing Publications and Outreach, Clearinghouse, and Public Information Services projects. While calls to our Hotline were down in 2002 from our record year in 1999, the number of e-mail inquiries is up so we recommend maintaining the existing level of funding for the Hotline. This also gives us the flexibility to handle sudden increases of calls in response to any high profile recall that may occur in the coming year. Total FTEs decrease by 4 to reflect a revised estimate of Field support needed in 2003 for consumer information activities as well as a FTE reduction in the Office of the Secretary. The 49 FTEs planned for the CI function exceeds the actual FTEs used in 2002 (43 FTEs).

Agency Management (AM). There are no changes in this area. We are reserving travel funds for possible increased outreach travel by the Commissioners. There is a decrease of 1 FTE in administrative support for the AM function.

Information Technology – Under this operating plan, we can maintain our existing technology. We were able to upgrade about a third of our computer inventory last year with savings – continued upgrading of our computer systems and inventory will remain a priority for any future savings.

Human Capital Management – In response to the number of skilled employees nearing retirement eligibility and the challenge of hiring and retaining the right replacements, we are proposing as a major goal the development of a Human Capital Plan. Elements of this process include the identification of strategic positions and required competencies, and the development

of appropriate succession and training plans. Goals in support of this effort are discussed in Attachment D, Proposed Changes to Performance Plan.

Attached is a summary of FTE and contract dollar changes by activity and project (Attachment A), a summary of FTEs by organization (Attachment B), a listing of voluntary standards activities planned (Attachment C), and a listing of changes to the original 2003 performance plan (Attachment D).

Next Steps

The staff is available to brief you on this memorandum. Following a Commission decision, the staff will make any adjustments directed by the Commission. The plan will not be submitted to the House and Senate Appropriations subcommittees for their required approval until after the enactment of a full 2003 appropriation. If final funding by Congress is different than planned, we will provide recommendations to the Commission on adjusting this plan. This plan will guide Commission work during 2003. We will also update the agency's annual performance plan to reflect the approved plan. We will review our progress and the need for changes at mid-year review in May.

Conclusion

The proposed plan continues all major activities and priorities of the Commission, and reflects changes since the Commission last approved the 2003 budget and performance plan request. As noted, we are proposing resource changes to meet these objectives; careful monitoring will make sure the adjustments are appropriate over time.

Attachments:

- A – Proposed Changes by Activity/Project
- B – FTEs by Organization
- C – Voluntary Standards Activities (HIR)
- D – Proposed Changes to Performance Plan

2003 OPERATING PLAN
PROPOSED FTE AND CONTRACT CHANGES BY ACTIVITY/PROJECT
(dollars in thousands)

ACTIVITY/PROJECT	PRESIDENT'S REQUEST		PROPOSED PLAN		CHANGE		COMMENT
	FTEs	CONTRACT DOLLARS	FTEs	CONTRACT DOLLARS	FTEs	CONTRACT DOLLARS	
HAZARD IDENTIFICATION & ANALYSIS (HIA):							
SURVEILLANCE DATA	26	\$1,268	27	\$1,268	1	\$0	Reallocation of staff time
INVESTIGATIONS DATA	21	60	25	60	4	0	More Field FTEs for on-site investigations
EMERGING HAZARDS	9	0	7	0	-2	0	Reallocation of staff time
ECONOMIC STUDIES	2	0	2	0	0	0	
PROGRAM SUPPORT	4	0	4	0	0	0	
TOTAL HIA	62	\$1,328	65	\$1,328	3	\$0	Field FTEs reallocated from Compliance support based on actual FTE usage

ACTIVITY/PROJECT	PRESIDENT'S REQUEST		PROPOSED PLAN		CHANGE		COMMENT
	FTEs	CONTRACT DOLLARS	FTEs	CONTRACT DOLLARS	FTEs	CONTRACT DOLLARS	
HAZARD ASSESSMENT & REDUCTION (HAR):							
FIRE/ELECTROCUTION HAZARDS:							
UPHOLSTERED FURN.	4	\$0	4	\$0	0	\$0	Transfer funds to Lab Support for mattress testing
MATTRESS/BEDDING	3	35	3	9	0	-26	Add work on effectiveness and wireless technology;
SMOKE ALARMS	1	6	3	0	2	-6	revise contract estimate
FIRE&GAS CODES/STDS.	6	0	5	13	-1	13	Add Gas Grills/LP Gas Systems/Fire Investigation
- SURROGATE CIG. IGNITION	0	0	1	0	1	0	Training; delete Fire Extinguishers
- CLOTHING TEXTILE STD.	0	0	1	0	1	0	Previously under Fire&Gas Codes/STds.
ELEC.CODES/STDS-FIRE	11	3	5	10	-6	7	Previously under Fire&Gas Codes/STds.
							Delete Plug-in Transformers/Small Motors/Fire
							Extinguishers; add Turkey Fryers/Hair Dryers/
							Heaters/Fans, and Fire Indicators
							Clothes Dryer application
							Deleted Small Power/Garden Tools
SENSOR TECHNOLOGY	0	0	1	0	1	0	
ELECTROCUTION VS	3	0	2	0	-1	0	
SUBTOTAL	28	44	25	32	-3	-12	
CHILDREN'S HAZARDS:							
CHILD HEAD INJURIES	10	\$13	8	\$0	-2	-\$13	Added Public Playground Handbook; rev. estimates
CHILD HAZARDS-OTHER	6	0	4	0	-2	0	Delete Long-Bone Study and Toy Test Fixtures;
							add Crib Slats/Hardware, Invest. Guide revision
							Previously under Children's Hazards-Other
							Add NPR and VS work with industry
BABY BATH SEATS	0	0	1	0	1	0	
BED RAILS	0	0	1	0	1	0	
SUBTOTAL	16	13	14	0	-2	-13	
CHILD POISONINGS:							
POISON PREVENTION	5	\$105	3	\$105	-2	\$0	Revised estimate
- GASOLINE CONTAINERS	0	0	1	0	1	0	Add new work
CHEMICAL HAZARDS	12	50	9	0	-3	-50	Transferred CCA/Phthalates work;
							added Crystalline Silica analysis
							Continuing work previously under Chemical Hazards
							Continuing work previously under Chemical Hazards
							Add CO Alarms, Fuel Cells, and Furnaces
CHROMATED COPPER	0	0	4	50	4	50	
- PHTHALATES	0	0	1	0	1	0	
CARBON MONOXIDE	2	0	6	5	4	5	
SUBTOTAL	19	155	24	160	5	5	
HOUSEHOLD/RECREATION	5	\$0	5	\$0	0	\$0	Add Juicers, Weed Trimmers, Table Saws, Suction
							Entrapment Guidelines

ACTIVITY/PROJECT	PRESIDENT'S REQUEST		PROPOSED PLAN		CHANGE		COMMENT
	FTES	CONTRACT DOLLARS	FTES	CONTRACT DOLLARS	FTES	CONTRACT DOLLARS	
HAR continued:							
PROGRAM SUPPORT:							
LAB SUPPORT	3	\$295	3	\$332	0	\$37	Revised contract estimate
CONTRACT SUPPORT	0	98	0	71	0	-27	Reallocated to Lab Support Project
PROGRAM SUPPORT	14	0	14	0	0	0	
SUBTOTAL	17	393	17	403	0	10	
TOTAL HAR	85	\$605	85	\$595	0	-\$10	-2 FTEs from HIR; +2 FTEs from Compliance; -\$10 added to Compliance Lab Support

ACTIVITY/PROJECT	PRESIDENT'S REQUEST		PROPOSED PLAN		CHANGE		COMMENT
	FTEs	CONTRACT DOLLARS	FTEs	CONTRACT DOLLARS	FTEs	CONTRACT DOLLARS	
COMPLIANCE:							
FIRE/ELECTROCUTION HAZARDS:							
FIRE	71	\$236	34	\$113	-37	-\$123	Transfer Fireworks/Lighters; revised estimates
- FIREWORKS	0	0	10	70	10	70	Previously shown in Fire Hazards
- LIGHTERS	0	0	21	50	21	50	Previously shown in Fire Hazards
ELECTROCUTION	15	20	14	20	-1	0	Revised FTE estimate
SUBTOTAL	86	256	79	253	-7	-3	\$3 converted to IT support of litigation software
CHILDREN'S HAZARDS	56	\$98	53	\$98	-3	\$0	Revised FTE estimate
CHILD POISONINGS	14	\$25	14	\$25	0	\$0	
HOUSEHOLD/RECREATION	18	\$20	20	\$20	2	\$0	Revised FTE estimate
PROGRAM SUPPORT:							
LAB SUPPORT	2	\$35	2	\$45	0	\$10	Revised contract estimate
STATE&LOCAL	4	100	4	100	0	0	
RECALL STUDY	0	0	1	0	1	0	Effectiveness study added
PROGRAM SUPPORT	11	0	11	0	0	0	
SUBTOTAL	17	135	18	145	1	10	
TOTAL COMPLIANCE	191	\$534	184	\$541	-7	\$7	-7 FTEs reflects cuts in Field and HIR and revised Field estimates based on actual FTE usage; -\$7 reflects +\$10 for Lab Support/ -\$3 for IT oper.fund
CONTINUING PUBLICATION & OUTREACH:							
DISTRIBUTION	0.5	\$172	0.5	\$172	0	\$0	
ONGOING/SEASONAL	15.5	0	13.5	0	-2	0	
SUBTOTAL	16	172	14	172	-2	0	Revised FTEs/Field time adjusted for actual usage
CLEARINGHOUSE	7	\$0	7	\$0	0	\$0	
PUBLIC INFORMATION:							
HOTLINE	1	\$427	1	\$427	0	\$0	
OTHER	25	217	23	217	-2	0	
SUBTOTAL	26	644	24	644	-2	0	Revised FTEs/less Field and OS support
PROGRAM SUPPORT	4	\$0	4	\$0	0	\$0	
TOTAL CONSUMER INFO.	53	\$816	49	\$816	-4	\$0	
AGENCY MANAGEMENT	89	\$187	88	\$187	-1	\$0	Revised FTE estimate/less administrative support
TOTAL CPSC	480	\$3,470	471	\$3,467	-9	-\$3	-9 FTEs reflect funding; -\$3 converted to IT support of litigation software

**2003 OPERATING PLAN
FTEs BY ORGANIZATION**

<u>Organization</u>	<u>On Board 1/</u>	<u>2003 Request</u>	<u>2003 Op. Plan 2/</u>	<u>Change</u>
Commissioners.....	13.0	13.0	13.0	--
Office of the Secretary.....	13.5	14.5	13.5	-1.0
Office of Congressional Relations.....	2.0	2.0	2.0	--
Office of the General Counsel.....	13.5	14.0	14.0	--
Office of EEOME.....	1.0	2.0	2.0	--
Office of the Inspector General.....	2.0	3.0	3.0	--
Office of the Executive Director.....	3.0	4.0	4.0	--
Office of Human Resource Mgmt.....	9.0	9.0	8.0	-1.0
Office of Information Services.....	25.0	23.0	23.0	--
Office of the Budget.....	4.0	4.0	4.0	--
Office of Planning and Evaluation.....	6.0	6.0	6.0	--
Office of Information and Public Affairs.....	10.8	12.0	12.0	--
Office of Compliance.....	45.9	45.0	44.0	-1.0
Office of Hazard Identification and Reduction.....	161.0	164.0	162.0	-2.0
Directorate for Administration.....	30.6	29.0	28.0	-1.0
Directorate for Field Operations.....	127.5	135.5	132.5	-3.0
Total.....	467.8	480.0	471.0	-9.0

1/ As of January 4, 2003 (Includes pending hires and separations).

2/ Based on the President's request and the Senate recommendation.

**2003 OPERATING PLAN
VOLUNTARY STANDARDS ACTIVITIES**

Fire	Child Injuries (Head)	Poison Prevention
1. Candles	20. All Terrain Vehicles (ATVs)	49. Child Resistant Packaging
2. Fire Escape Masks	21. Baby Bouncers	50. Gasoline Containers
3. Fire Sprinklers	22. Baby Swings	
4. Gas Grills	23. Baby Walkers	Carbon Monoxide
5. Gas Water Heaters	24. Bassinets/Cradles	51. Alarms, CO
6. LP - Gas Systems	25. Bicycles (Structural Integrity)	52. Engine Driven Tools
7. Ranges	26. Changing Tables, Diaper	53. Furnaces and Vented Appliances
8. Smoke Alarms	27. Helmets, Recreational	54. Heaters, Portable Propane
9. Turkey Fryers	28. High Chairs	
	29. Infant Carriers	Household/Recreational
Fire (Electrical)	30. Infant Carriers, Soft Frame/Travel	55. Escalators
10. Arc Fault Circuit Interrupters	31. Playground Equipment, Home	56. Exercise Equipment
11. Battery Powered Ride on Toys	32. Playground Equipment, Children	57. Garage Doors
12. Clothes Dryers	33. Playground Equipment, Public	58. Garage Door and Gate Operators
13. Fans, Portable Electric	34. Playground Equipment, Soft Contained	59. Gun Locks
14. Hair Dryers	35. Playground Surfacing	60. Juicers
15. Heaters, Fixed Electric	36. Play Yards	61. Nail Guns
16. Lamps, Portable Electric	37. Scooters, Non-Powered	62. Saws, Chain
17. Surge Suppressors	38. Strollers	63. Saws, Table
	39. Trampolines	64. Suction Relief Devices
Electrocutions	40. Tricycles	65. Trimmers and Brush Cutters
18. Ground Fault Circuit Interrupters		
19. National Electrical Code	Child Injuries (Other)	
	41. Bath Seats	
	42. Bed Rails	
	43. Blind Cords	
	44. Cribs	
	45. Infant Bedding/ Accessories	
	46. Playground Equipment, Aquatic	
	47. Swimming Pool Alarms	
	48. Toy Safety	

11/12/02

U.S. CONSUMER PRODUCT SAFETY COMMISSION - 2003 OPERATING PLAN Changes to 2003 Performance Plan

Attachment D

Goal Area	Page	Original Goal	Description of Change
Fire Related Deaths	11	1. Prepare for Commission consideration 2 candidates for rulemaking or other alternatives.	Added one activity: <i>Clothing Textile Standard Update</i> - In 2002, an ANPR was published to begin the process of updating the standard to address changes in test equipment, consumer practice, environmental law, and textile product cleaning techniques. In 2003, staff will respond to comments and develop proposed amendments to the standard for Commission consideration.
	12	2. Prepare and present recommendations to voluntary standards or code organizations to strengthen or develop 5 voluntary standards or codes.	Deleted two activities: <i>Gas Furnaces</i> - This activity is being deferred due to the need to address higher priority work. <i>Panelboards and Circuit Breakers</i> - This activity will be addressed as a data assessment activity.
	13	3. Complete 7 data analyses and technical review activities.	Added six activities: <i>Fire Indicators</i> - Most electrical product standards use an artificial fire indicator in their flammability tests to determine if a product represents a potential fire hazard, and most testing laboratories use artificial fire indicators to represent potential ignition sources. In 2002, staff worked with the University of Maryland to determine the adequacy and variability of current fire indicators. In 2003, staff will conduct additional tests to determine how multiple thicknesses of fire indicators and/or household combustibles affect fire risk and to develop recommendations to the voluntary standards, as appropriate. <i>Fire Investigation Training</i> - In 2002, staff developed a draft training program for field investigators to enhance their ability to interact with local authorities and to interpret fire investigation reports. In 2003, staff will pilot test this training and make revisions, as appropriate. <i>Gas Grills/LP Gas Systems</i> - In 1998, there were an estimated 500 grill fires attended by fire services. To address the risk of fires and explosions of gas grills from such causes as leaking fuel at the tank connection, delayed ignition, overfilled tanks, valves and leaking hoses; in 2003, CPSC staff will complete a technical review of the incident data and conduct any necessary laboratory testing. In 2004, results of this evaluation will be used to make recommendations to the voluntary standards, as appropriate. <i>Panelboards</i> - In 1998, circuit breakers were identified in an estimated 1,600 fires. Panelboards provide the means to make connections to circuit breakers and fuses used to protect the electrical wiring systems in homes. A failure of a panelboard can

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		present a high risk of ignition to a home since the failure can occur ahead of the circuit breakers/fuses. This project will focus on identifying the details of materials selection and component design of panelboards and directly associated electrical equipment that can contribute to the failures of panelboards. In 2003, fire incidents associated with residential panelboards will be identified through contact with fire services. Follow up in-depth investigations will be conducted in order to support development of needed performance requirements. Data will be reviewed as it is collected and data analysis will be completed in 2004. Engineering analysis will identify and substantiate needed performance requirements. This information will be used to support future proposals to revise existing voluntary standards for panelboards. <i>Smoke Alarms (Effectiveness Survey)</i> - In 2002, CPSC contracted (funds provided by USFA and CDC) for a probability telephone survey to identify the extent to which smoke alarms provided the first warning of a fire. The survey will also collect information about the role of fire extinguishers and sprinklers. In 2003, staff will work with the contractor to plan the survey and monitor data collection. <i>Smoke Alarms (Wireless Technologies)</i> - In 2002, with funds from USFA, CPSC contracted for an evaluation of current smoke alarm and wireless technologies to determine the feasibility of producing a battery-operated smoke alarm that is interconnected by wireless communication. The work on this contract will be completed in 2003. Modified one activity: <i>Sensor Technology</i> - In 2003, this activity will focus on the application of sensor technologies in identifying and addressing conditions that could lead to fires with clothes dryers. Deleted two activities: <i>Plug-in Transformers</i> - This activity is being deferred due to the need to address higher priority activities. <i>Small Motors</i> - This activity is being deferred due to the need to address higher priority activities. Modified: We now plan to monitor or participate in the modification or development of 17 voluntary standards.
14	4. Monitor or participate in 9 voluntary standards revisions.	

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15	5. Conduct [525] recalls or other corrective actions for products that violate mandatory safety standards and for unregulated products that present a substantial risk of fire-related death and injury.	Modified: Our 2003 goal will be to conduct 350 recalls or other corrective actions. The U.S. Customs Service notifies us of shipments of potentially hazardous consumer products at ports of entry. As a result of the September 11 attack and also due to certain management initiatives within Customs, there has been a significant reduction in the amount of support that Customs is able to provide to CPSC. Customs and CPSC have a revised Memorandum of Understanding, which will provide CPSC access to two major Customs databases that may allow quicker response by CPSC staff and may help offset the reduced Customs support. Modified: Based on a review of past years' data, our 2003 goal will now be to distribute 200,000 publications. Deleted one activity: <i>Small Power Tools</i> - An engineering review of available data indicated that there is insufficient detail to determine the causes of shock and electrocution incidents. Staff plans to revise the Investigation Guidelines and assign cases to attempt to obtain more detailed information about the incidents. We will consider including this activity at another time, if additional data identifies a need for it. Modified: We now plan to monitor or participate in the modification or development of 2 voluntary standards. Modified: Based on a review of past years' data, our 2003 goal will now be to distribute 60,000 publications. Added one activity: <i>Handbook for Public Playground Safety</i> - An activity has been added to review the <i>Handbook for Public Playground Safety</i> and update it as needed to be consistent with current voluntary standards, surfacing recommendations, and knowledge of hazards. Modified: We now plan to monitor or participate in the modification or development of 21 voluntary standards. The previous goal was understated. Modified: Based on a review of past years' data, our 2003 goal will now be to distribute 200,000 publications.
17	11. We will respond to consumer requests for a projected 160,000 checklists, booklets, and safety alerts warning about fire hazards.	
20	2. Complete 1 testing, data collection, or hazard analysis activity.	
20	3. Monitor or participate in 3 voluntary standards revisions.	
22	10. We will respond to consumer requests for an estimated 45,000 safety alerts, checklists, and booklets.	
25	1. Complete 1 testing, data collection, hazard analysis, or technical review activity.	
25	2. Monitor or participate in 11 voluntary standards revisions.	
27	8. We will respond to consumer requests for a projected 160,000 checklists, booklets, and safety alerts warning about head injury hazards.	

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Children's - Non Head Related	29	1. Prepare for Commission consideration, a notice of proposed rulemaking or a final rule for at least 1 children's product related to other (non-head) injuries.	Added two activities: <i>Bed Rails</i> - In 2003, staff plans to complete an NPR for Commission consideration. <i>Crib Slat Integrity</i> - In 1996, CPSC began a rulemaking activity to address crib slat integrity. In 1999, the voluntary standard for cribs was revised to include performance requirements for crib slats. In 2002, staff completed an assessment of industry conformance to the voluntary standard. In 2003, staff will develop recommendations as to whether to continue or terminate rulemaking.
	30	2. Complete 4 testing, data collection, hazard analysis, or technical review activities.	Added one activity: <i>Investigation Guidelines</i> - An activity has been added to begin the process of revising the investigative guidelines for children's products. These guidelines are used by Field staff to collect data on incidents with children's products. Many of the guidelines were developed several years ago and do not reflect changes in products and product usage. Deleted two activities: <i>Playground Surfacing/Long Bone Injuries</i> - This activity is being deferred due to the need to address higher priority activities. <i>Toy Test Fixtures</i> - This activity is being deferred due to the need to address higher priority activities.
	31	4. Conduct [250] recalls or other corrective actions on hazardous products that present a substantial risk of injuries (other than head injuries) to children or violate CPSC's safety standard.	Modified: Our 2003 goal will be to conduct 200 recalls or other corrective actions. The U.S. Customs Service notifies us of shipments of potentially hazardous consumer products at ports of entry. As a result of the September 11 attack and also due to certain management initiatives within Customs, there has been a significant reduction in the amount of support that Customs is able to provide to CPSC. Customs and CPSC have a revised Memorandum of Understanding, which will provide CPSC access to two major Customs databases that may allow quicker response by CPSC staff and may help offset the reduced Customs support.
	32	8. Produce 14 video news releases (VNRs) for products presenting a risk of injury to children.	Modified: Based on past years' data we now plan to produce 7 VNRs in 2003.
	32	9. We will respond to consumer requests for a projected 600,000 checklists, booklets, and safety alerts warning about injury hazards.	Modified: Based on a review of past years' data, we now plan to distribute 620,000 publications.
Child Poisonings	35	1. Prepare for Commission consideration, a notice of proposed rulemaking or a final rule for at least 1 hazardous substance for child-resistant packaging.	Modified: <i>Rulemaking</i> - In 2003, the staff will recommend child-resistant packaging on toxic substances reviewed in 2002, possibly including

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		caustics. In 2002, CPSC issued regulations requiring child-resistant packaging for certain products containing low viscosity hydrocarbons. We are currently developing information related to consideration of child-resistant packaging for aerosol products that contain low viscosity hydrocarbons.
	35	2. Complete 1 testing, data collection, hazard analysis or technical review activity. Added one activity: <i>Gasoline Containers</i> - There are reports of children gaining access to gasoline containers resulting in burns and/or ingestions. In 2003, staff will collect and compile available information about the injuries, the market, and the costs associated with gasoline containers. Modified one activity: <i>Poisoning Data</i> - In 2003, CPSC staff will monitor ingestion data bases and review chemical classes of products for the need for child-resistant packaging. In 2003 the staff will complete a toxicity assessment and a poisoning data review of at least one substance.
	35	3. Monitor or participate in the revision of 1 voluntary standard. Modified: We now plan to monitor or participate in the modification or development of 2 voluntary standards.
	37	8. Respond to consumer requests for an estimated 100,000 checklists, booklets, and other publications on preventing poisonings. Modified: Based on a review of past years' data, we now plan to distribute 110,000 publications.
Carbon Monoxide Poisonings	40	Added two activities: <i>Camp Heater Emissions</i> - In 2001 and 2002, we tested certified and uncertified portable type camp heaters that use a 1-pound bottle of propane gas as their fuel source. In 2003, we will continue testing with a focus on tank-top style heaters that use a bulk tank of propane gas (e.g. 20-pound tank) as their fuel source. Based upon these tests and a review of incident data, staff will work with industry members and voluntary standards organizations to develop revisions to the voluntary standards, as warranted. <i>Carbon Monoxide Alarms</i> - Based on the outcome of ongoing laboratory testing, staff will make necessary recommendations to the current UL standard for CO alarms, if needed.

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40	Complete testing, data collection, hazard analysis, or technical review activity to evaluate the need for, or adequacy of, safety standards.	New Goal - Two activities: <i>Fuel Cells</i> - In 2003, staff will assess fuel cell technology, determine the potential hazards that may exist with its application to consumer products, and assess the need for voluntary standards to address these hazards. <i>Furnace and Vented Appliances</i> - Activities will be continued to provide continued support for changes to voluntary standards for gas-fired furnaces and other gas appliances to address the CO poisoning hazard. CPSC staff will conduct appliance testing as necessary and identify, acquire, and conduct proof-of-concept testing of various sensor technologies to shut off a gas furnace in response to elevated flue CO levels. Staff will also explore sensor durability and long term testing.
40	2. Monitor or participate in the revision of 2 voluntary standards.	Modified: We now plan to monitor or participate in the modification or development of 4 voluntary standards.
Other Chemical Hazards	1. Complete 2 testing, data collection or hazard analysis activities.	Added one activity: <i>Crystalline Silica</i> - Crystalline silica is present in many consumer products, including play sand, building materials, and household cleansers. In 2003, staff will generate exposure data, conduct a preliminary risk assessment, and propose recommendations for remedial actions as needed. Staff will coordinate with EPA and OSHA on this activity.
43	11. We will respond to consumer requests for a projected 150,000 checklists, booklets, and safety alerts warning about other chemical hazards.	Modified: Based on a review of past years' data, our 2003 goal will now be to distribute 145,000 publications.
Household and Recreation	Prepare and present recommendations to voluntary standards or code organizations to strengthen or develop voluntary standards or codes.	New Goal - Three activities: <i>Juicers</i> - Staff plans to test juicers by subjecting the juicer basket strainers and lids to conditions that may accelerate wear or degradation of the components. This testing should provide insight as to why some juicer strainer baskets are breaking apart during use. Test results will be evaluated to determine if the testing requirements in the voluntary standard need to be strengthened. Staff will make recommendations to the voluntary standard, as appropriate. <i>Rotating Weed Trimmers/Brushcutters</i> - Staff will analyze data collected in 2002 for rotating weed trimmers/brushcutters with respect to eye injuries caused by thrown objects. Staff plans to provide the data analysis to the ANSI B 175.3 Trimmer/Brushcutter safety standard sub-committee for discussion regarding the need for

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			a thrown objects test. This information will be used to support recommendations to the appropriate voluntary standards, if warranted. <i>Stationary Table Saws</i> - Staff will analyze data collected in FY 2002 for stationary table saw injuries and participate in the UL working group activities associated with UL 987, <i>Standard for Stationary and Fixed Electric Tools</i>. This information will be used to support recommendations for voluntary standards, if warranted.
	46	1. Complete testing, data collection or hazard analysis activities to evaluate the need for, or adequacy of, safety standards.	Added one activity: <i>Suction Entrapment Guidelines</i> - An activity has been added to update the Commission's <i>Guidelines for Entrapment Hazards: Making Pools and Spas Safe</i> to reflect new products and current technology.
	46	2. Monitor or participate in 8 voluntary standards revisions.	Modified: We now plan to monitor or participate in the modification or development of 11 voluntary standards.
Hazard Identification and Analysis	51	5. Sustain the number of medical examiner/coroner reports at 2,800.	Modified: Based on a review of past years' data, our 2003 goal will now be 3,600 medical examiner/coroner reports.
	51	6. Sustain the number of incident reports from news clips at 5,000 clips.	Modified: Based on a review of past years' data, our 2003 goal will now be 6,000 news clips.
	52	7. Conduct 30 emerging hazard reviews, including preliminary assessments, responses to petitions, and special economic studies.	Modified: Due to a shift in resources to higher priority work, we now plan to conduct 25 emerging hazard reviews.
Informing the Public	56	1. Increase CPSC web site visits.	Modified: Based on historical data, we modified this goal from 7.2 million to 8 million.
	57	2. Increase web site visits and paid subscriptions of the Review.	Modified: Based on past years' data, we modified this goal from 100,000 to 165,000.
Consumer Satisfaction	63	3. Maintain hotline performance contract.	Deleted: Due to limited resources we have not been able to accurately measure this performance goal. Under a new contract, we will resume this goal in 2004.

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Managing Human Capital	69 Development of coordinated training program.	New Goals: <i>Training Plan</i> - In 2003, the Director of Human Resources will develop and manage the agency's coordinated training plan to be implemented beginning in 2004. This multi-year plan will consist of benchmarks, such as defining and identifying core positions, designing training plans for the core positions; identifying common agency training needs, and establishing individual development plans. <i>Training Advisory Board</i> - In 2003, the Executive Director will appoint a CPSC Training Advisory Board. The Training Board will provide advice to the Director of Human Resources and assist in the development and implementation of the Training Plan. The Board will recommend a final Training Plan to the Commission. <i>Low/No Cost Training</i> - Identify and promote no or low cost training opportunities such as periodic Small Agency Council training sessions. <i>E-Learning Center</i> - In 2002, we purchased a relatively low cost on-line training program containing over 700 courses, which is available to every employee 24 hours a day. In 2003, the Office of Human Resources will implement and monitor CPSC's e-learning center. This on-line training will be incorporated into position and individual training plans.
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