

Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

**FOR FURTHER INFORMATION CONTACT:** Linda Glatz, Division of Policy and Planning, Office of Information Technology, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, 301-504-7671, [lglatz@cpsc.gov](mailto:lglatz@cpsc.gov).

**SUPPLEMENTARY INFORMATION:** In compliance with 44 U.S.C. 3507, the CPSC has submitted the following proposed collection of information to OMB for review and clearance.

Standard for the Flammability of Mattresses and Mattress Pads—(OMB Control Number 3041-0014—Extension). The Standard for the Flammability of Mattresses and Mattress Pads was promulgated under section 4 of the Flammable Fabrics Act (“FFA”), 15 U.S.C. 1193, to reduce unreasonable risks of burn injuries and deaths from fires associated with mattresses and mattress pads. The standard prescribes a test to assure that a mattress or mattress pad will resist ignition from a smoldering cigarette. The standard requires manufacturers to perform prototype tests of each combination of materials and construction methods used to produce mattresses or mattress pads and to obtain acceptable results from such testing. Manufacturers and importers are required to maintain the records and test results specified under the standard.

In addition, the Standard for the Flammability (Open Flame) of Mattress Sets was promulgated under section 4 of the FFA, 16 CFR part 1633, to reduce deaths and injuries related to mattress fires, particularly those ignited by open flame sources such as lighters, candles and matches. The standard established new performance requirements for mattresses and mattress sets that will generate a smaller size fire from open flame source ignitions. Part 1633 also contains recordkeeping requirements to document compliance with the standard. The testing and recordkeeping requirements under 16 CFR part 1633 do not replace the testing and recordkeeping requirements under 16 CFR part 1632.

In May 2006, an Interim Enforcement Policy for Mattresses subject to 16 CFR parts 1632 and 1633, effective May 1, 2006, was issued that reduced prototype surface testing and recordkeeping requirements from six mattress surfaces to two mattress surfaces for each new prototype created after March 15, 2006. Manufacturers that avail themselves of the reduced testing program will have to maintain records on the cigarette test

performed, but they will be testing only two surfaces rather than the required six surfaces. The policy is available at the CPSC’s Web site at [www.cpsc.gov/BUSINFO/Interimmattress.pdf](http://www.cpsc.gov/BUSINFO/Interimmattress.pdf). Mattress prototypes created before March 15, 2006, are subject to the full requirements of 16 CFR part 1632. In addition, mattress pads are not subject to this policy and must continue to adhere to all the requirements set forth in 16 CFR part 1632.

In the **Federal Register** of May 18, 2010 (75 FR 27733), the CPSC published a 60-day notice requesting public comment on the proposed collection of information. No comments were received.

We estimate the burden of this collection of information as follows. The CPSC staff estimates that there are 671 respondents (571 establishments producing conventional mattresses and 100 establishments producing non-conventional mattresses in the United States, a total of 671). It is estimated that each respondent will spend 26 hours for testing and recordkeeping annually for a total of 17,446 hours (671 firms × 26 hours = 17,446 total hours requested). The annualized cost to respondents would be approximately \$993,201 based on 17,446 hours times \$56.93 per hour (based on total compensation of all management, professional, and related occupations in goods-producing industries in the United States, September 2009, Bureau of Labor Statistics).

The estimated annual cost of the information collection requirements to the Federal government is approximately \$142,000. This sum includes 10 staff months and travel costs expended for examination of the information in records required to be maintained by the standard and enforcement rule.

Dated: August 26, 2010.

**Alberta Mills,**

*Acting Secretary, Consumer Product Safety Commission.*

[FR Doc. 2010-21895 Filed 8-31-10; 8:45 am]

**BILLING CODE 6355-01-P**

## **CONSUMER PRODUCT SAFETY COMMISSION**

### **Agency Information Collection Activities; Submission for Office of Management and Budget Review; Comment Request; Safety Standard for Bicycle Helmets**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** The Consumer Product Safety Commission (“CPSC” or “Commission”) is announcing that a proposed collection of information has been submitted to the Office of Management and Budget (“OMB”) for review and clearance under the Paperwork Reduction Act of 1995 (“PRA”).

**DATES:** Fax written comments on the collection of information by October 1, 2010.

**ADDRESSES:** To ensure that comments on the information collection are received, OMB recommends that written comments be faxed to the Office of Information and Regulatory Affairs, OMB, Attn: CPSC Desk Officer, Fax: 202-395-6974, or e-mailed to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov). Written comments should be captioned “Safety Standard for Bicycle Helmets.” All comments should be identified with the OMB Control Number 3041-0127. In addition, written comments should also be submitted by mail/hand delivery/courier (for paper, disk, or CD-ROM submissions), preferably in five copies, to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

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**SUPPLEMENTARY INFORMATION:** In compliance with 44 U.S.C. 3507, the CPSC has submitted the following proposed collection of information to OMB for review and clearance.

Safety Standard for Bicycle Helmets—(OMB Control Number 3041-0127—Extension). In 1994, Congress passed the “Child Safety Protection Act,” which, among other things, included the “Children’s Bicycle Helmet Safety Act of 1994” Public Law 103-267, 108 Stat. 726. This law directed the Commission to issue a final standard applicable to bicycle helmets that would replace several existing voluntary standards with a single uniform standard that would include provisions to protect against the risk of helmets coming off the heads of bicycle riders, address the risk of injury to children, and cover other issues as appropriate. The Commission issued the final bicycle helmet standard in 1998. It is codified at 16 CFR Part 1203. The standard requires all bicycle helmets manufactured after March 10, 1999, to meet impact-attenuation and other requirements. The standard also contains testing and recordkeeping

requirements to ensure that bicycle helmets meet the standard's requirements. Certification regulations implementing the standard require manufacturers, importers, and private labelers of bicycle helmets subject to the standard to: (1) Perform tests to demonstrate that those products meet the requirements of the standard; (2) maintain records of those tests; and (3) affix durable labels to the helmets stating that the helmet complies with the applicable standard. The certification regulations are codified at 16 CFR part 1203, subpart B. On September 2, 2009, the Commission issued a notice of requirements that provides the criteria and process for Commission acceptance of accreditation of third party conformity assessment bodies for testing bicycle helmets that are considered children's products under the Consumer Product Safety Act (74 FR 45428).

The Commission uses the information compiled and maintained by manufacturers, importers, and private labelers of bicycle helmets subject to the standard to help protect the public from risks of injury or death associated with head injury associated with bicycle riding. More specifically, this information helps the Commission determine whether bicycle helmets subject to the standard comply with all applicable requirements. The Commission also uses this information to obtain corrective actions if bicycle helmets fail to comply with the standard in a manner that creates a substantial risk of injury to the public.

In the *Federal Register* of May 18, 2010 (75 FR 27734), the CPSC published a 60-day notice requesting public comment on the proposed collection of information. One comment was received. The commenter did not address the collection of information burdens. Instead, the commenter states that the collection of information should not be approved because it would delay implementation of bicycle helmet safety.

The commenter has misunderstood the purpose of the collection of information. The standard has been in effect since 1999, and continues to be in effect. The collection of information addresses the testing, certification, and recordkeeping requirements that are required to ensure that the standard's requirements are met.

We estimate the burden of this collection of information as follows. Approximately 30 firms manufacture or import bicycle helmets subject to the standard. There are an estimated 200 different models of bicycle helmets currently marketed in the United States.

The Commission staff estimates that the time required to comply with the collection of information requirements is approximately 100 to 150 hours per model per year. The total amount of time estimated for compliance with these requirements for testing, including third-party testing for children's bicycle helmets, certification, and recordkeeping will be 20,000 to 30,000 hours per year (200 models  $\times$  100 to 150 hours/model = 20,000 to 30,000 hours). The annualized cost to respondents for the hour burden for collection of information is \$1,138,600 to \$1,707,000 based on 20,000 to 30,000 hours times \$56.93 per hour (based on total compensation of all civilian workers in managerial and professional positions in the United States, September 2009, Bureau of Labor Statistics).

The estimated expenditure to the Federal government is approximately \$83,000 which includes 10 staff months and travel costs expended for examination of the information in records required to be maintained by the standard and implementing regulations.

Dated: August 26, 2010.

**Alberta Mills,**

*Acting Secretary, Consumer Product Safety Commission.*

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## DEPARTMENT OF EDUCATION

### Office of Elementary and Secondary Education Overview Information; Advanced Placement (AP) Test Fee Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2011

Catalog of Federal Domestic Assistance (CFDA) Number: 84.330B.

*Dates:*

*Applications Available:* September 1, 2010.

*Deadline for Transmittal of Applications:* November 17, 2010.

*Deadline for Intergovernmental Review:* January 18, 2011.

#### Full Text of Announcement

##### I. Funding Opportunity Description

*Purpose of Program:* The AP Test Fee program awards grants to eligible State educational agencies (SEAs) to enable them to pay all or a portion of advanced placement test fees on behalf of eligible low-income students who (1) are enrolled in an advanced placement course and (2) plan to take an advanced placement exam. The program is designed to increase the number of low-income students who take advanced

placement tests and receive scores for which college academic credit is awarded.

*Program Authority:* 20 U.S.C. 6531-6537.

*Applicable Regulations:* The Education Department General Administration Regulations (EDGAR) in 34 CFR parts 75, 77, 79, 80, 81, 82, 84, 85, 97, 98, and 99.

## II. Award Information

*Type of Award:* Discretionary grants.

*Estimated Available Funds:* The Administration's budget request for FY 2011 does not include funds for this program but would, instead, provide support for advanced placement test fees through a proposed College Pathways and Accelerated Learning program. However, we are inviting applications to allow enough time to complete the grant process if Congress appropriates funds for this program.

*Estimated Range of Awards:* \$8,476-\$4,377,999.

*Estimated Average Size of Awards:* \$438,280.

*Estimated Number of Awards:* 42.

**Note:** The Department is not bound by any estimates in this notice.

*Project Period:* Up to 12 months.

## III. Eligibility Information

1. *Eligible Applicants:* SEAs in any State, including the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau (subject to continued eligibility).

**Note:** For the purposes of this program, the Bureau of Indian Education in the U.S. Department of the Interior is treated as an SEA.

2. a. *Cost Sharing or Matching:* This program does not require cost sharing or matching.

b. *Supplement-Not-Supplant:* This program involves supplement-not-supplant funding requirements. Section 1706 of the Elementary and Secondary Education Act of 1965, as amended (ESEA), requires that grant funds provided under the AP Test Fee program supplement, and not supplant, other non-Federal funds that are available to assist low-income individuals in paying for the cost of advanced placement test fees.

3. *Other:* Current grantees under this program that expect to have sufficient carryover funds to cover school year 2010-2011 advanced placement exam