



Privacy Impact Assessment Update
for the

Chemical Facility Anti-Terrorism Standards

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Abstract

This is an update to the Privacy Impact Assessment (PIA) for the Chemical Facility Anti-Terrorism Standards (CFATS). This PIA update provides for the transfer of personally identifiable information (PII) from Chemical Security Assessment Tool (CSAT) to the Chemical Facility Management System (CHEMS), and the collection of PII related to the review of data submissions by high-risk chemical facilities to CFATS.

Introduction

On October 4, 2006, the President signed the Department of Homeland Security Appropriations Act of 2007 (the Act), Public Law 109-295. Section 550 of the Act provides the Department of Homeland Security (DHS) with the authority to regulate the security of high-risk chemical facilities. CFATS, the implementing regulations at 6 CFR Part 27, was published in April 2007 and represents a national-level effort to minimize terrorism risk to such facilities. The department established CSAT as an outward facing system to collect required data from high-risk chemical facilities.

The original PIA, published in March 2007, as well as the subsequent PIA updates outline in more detail how and why CSAT collects PII of individuals for the purpose of granting access to CSAT. Additional PII (such as whether or not the individual works for state or local government) is also collected in CSAT from individuals who apply to be CVI Authorized Users.

The Department has established CHEMS to comply with CFATS. CFATS requires the Department to review and approve non PII data submissions (e.g. chemical volumes present at a facility, security measures the facility has put into place to reduce risk from a terrorist attack that would release the chemical of interest) provided by high-risk chemical facilities (e.g. Security Vulnerability Assessments that satisfy the requirements of §27.215, Alternative Security Programs submitted pursuant to §27.235, and Site Security Plans in accordance with §27.245). CFATS requires the Department to inspect chemical facilities to verify the data submissions provided by industry to identify any areas of non-compliance. CHEMS is the internal case management system that supports these CFATS requirements.

Reason for the PIA Update

This PIA update will provide for; (1) the collection of PII from federal employees and contractors for the purpose of providing access to CHEMS, (2) the transfer and secure storage of information (certain data of which is PII) from CSAT to CHEMS, (3) the secure storage of PII contained within correspondence between the department and the high-risk chemical facility, and (4) the collection of PII during personal interactions with the high-risk chemical facility or other individuals related to the review and approval of data collected under CFATS.



Privacy Impact Analysis

In each of the section below consider how the system has changed and what impact it has on the fair information principles. In some cases there may be no changes, where this is the case, please indicate as such.

The System and the Information Collected and Stored within the System

Describe how this update affects the amount and type of personally identifiable information collected by the program or system, and how the update compliments the previously articulated purpose of the program

The collection of PII to provide access to CHEMS

CFATS will collect PII from DHS employees and contractors to provide access for CHEMS. Specifically, CFATS may collect the name, position, business address, business phone number, business e-mail, and CVI Authorized User Status.

The transfer and secure storage of PII from CSAT to CHEMS

CHEMS will store a copy of the PII of all CSAT Users, and CVI Authorized Users to CHEMS to allow Federal employees and contractors the ability to contact an appropriate representative of high-risk chemical facilities, as well as verify an individual's status as a CVI Authorized User. CFATS will transfer, at least once a day, the name, CSAT User Role, business phone number, business e-mail, and business address.

The secure storage of PII contained within correspondence between the department and high-risk chemical facilities in CHEMS

CHEMS will store a copy of scanned correspondence between the Department and the high-risk chemical facility. The scanned correspondence may contain PII of an individual at the high-risk chemical facility, or an individual that represents the high-risk chemical facility. CFATS may store the name, position, business phone number, business e-mail, business address, and any other PII the correspondence contains.

The collection of business contact information during personal interactions with the high-risk chemical facility or other individuals related to the review and approval, or inspection, of data collected under CFATS in CHEMS.

PII is collected in CHEMS from high-risk chemical facilities. The PII is collected through personal interactions during reviews, approvals, or inspections required by CFATS.. The personal interaction may be, but is not limited to, the receipt of a letter, a phone call, or an interview. The PII collected may include name, position, business phone number, business e-mail, and business address. The collection of PII allow CFATS to maintain a clear record and log of the regulatory compliance process between the department and the high-risk chemical facility.



Uses of the System and the Information

Describe how the uses of the personally identifiable information have changed with this update and whether any privacy risks exist as associated with such changes.

All the PII, either collected originally in CHEMS, or transferred into CHEMS from CSAT, supports the requirement of CFATS to review and approve, or inspect, data submission collected from high-risk chemical facilities.

The primary privacy risk that changed with this PIA Update is the unauthorized disclosure of the PII. CFATS mitigated the risk of unauthorized disclosure through the implementation of administrative and technical access controls that meet the requirements in DHS 4300A and NIST 800-53.

Retention

Describe whether retention schedules have changed or if the system now has an approved NARA schedule.

There are no changes to the retention schedule associated with this PIA update. PII is maintained for 10 years in compliance with the approved NARA Schedule for CFATS.

Internal Sharing and Disclosure

Describe how the internal sharing and disclosure have changed with this update and whether any privacy risks have been identified. If they have, describe the mitigation for such risks.

The change to the internal sharing and disclosure of PII is the transfer of PII from CSAT to CHEMS. The individuals with access to CHEMS are all individuals who have a role or responsibilities associated with CFATS, and have a role or responsibility with the review or approval of data submissions from high-risk chemical facilities. Hence, all individuals with access to CHEMS have a "need to know" the PII of CSAT Users as well as CVI Authorized Users.

The sharing and disclosure of PII collected in CHEMS, as well as the PII transferred from CSAT, continues to follow the same internal sharing limitations outlined in the original PIA published in March of 2007 and subsequent PIA updates. No additional internal sharing and disclosure privacy risks were identified.

External Sharing and Disclosure

Describe how the external sharing and disclosure has changed with this update and whether any privacy risks have been identified. If they have, describe the mitigation for such risks.

This PIA Update does not change any of the established external sharing and disclosure processes approved in the original PIA or subsequent PIA updates. Therefore, no additional external sharing and disclosure privacy risks were identified.



Notice

Describe whether additional notice is required to describe new collections, uses, sharing, or retention of the data and how that has or will be done.

There is no additional notice required for this PIA update.

Individual Access, Redress, and Correction

Describe how access, redress, and correction have changed with this update and whether any privacy risks have been identified. If they have, describe the mitigation for such risks.

There are no changes to the individual access, redress, and correction processes associated with this PIA update. Therefore, no privacy risk associated with access, redress, and correction were identified.

Technical Access and Security

Describe how the technical access and security have changed with this update and whether any privacy risks have been identified. If they have, describe the mitigation for such risks.

The primary technical access and security risk that changed with this PIA Update is the potential for unauthorized disclosure of the PII. CFATS mitigated the risk of unauthorized disclosure through the implementation of administrative and technical access controls for CHEMS that meet the requirements in DHS 4300B and NIST 800-53.

DHS/NPPD/CIO IT Security has conducted an independent review of the implementation of those access and security controls and approved them



Technology

Describe how the technology has changed with this update and whether any privacy risks have been identified. If they have describe the mitigation for such risks.

The technology change provided for in this PIA Update is the establishment of CHEMS. CHEMS employs several security measures such as the use of enhanced Cisco IDS/IPS and Juniper FIPS 140-2 SSL VPN encryption that comply with the DHS 4300B and NIST 800-53 requirements. These technology and security controls directly mitigate the primary risk of unauthorized access to the data during a routine transfer of PII from CSAT to CHEMS.

Responsible Official

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Approval Signature

Original signed and on file with the DHS Privacy Office.

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