PRIVACY IMPACT ASSESSMENT

Submit in *Word format* electronically to: Linda Person (<u>person.linda@epa.gov</u>)

Office of Environmental Information

System Name: Federal Certification of Pesticide Applicators	
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This project is in the following life cycle stage(s):

Definition ☐ Development/Acquisition ☐ Implementation ☒

Operation & Maintenance ☐   Termination ☐

Note: Existing Systems require an updated PIA when there is a <u>significant modification</u> or where changes have been made to the system that may create a new privacy risk. For a listing of <u>significant modifications</u>, see OMB Circular A-130, Appendix 1, Section (c) (1) (a-f) at <u>http://www.whitehouse.gov/omb/circulars/a130/a130appendix_i.aspx</u>

I. <u>Data in the System</u>

1. What data/information will be collected/contained in the system?

   Records are related to federal certifications to apply restricted use pesticides (RUP) in Indian Country throughout the US. Certification information will be contained in an Access database that is distributed to all regions with federally-recognized tribal lands (the databases will be stored on EPA servers and computers). Records will include requests, denials, certifications, correspondence, and Agency decisions related to applicators seeking and maintaining federal certifications. The database has fields for 1) contact information (e.g. name, address, phone number, email address); 2) identification information (e.g. birth date); 3) certification information (e.g. state/federal certification number, certification type, categories, expiration date); 4) information regarding qualifications (e.g. records of training, records of compliance).

2. What are the sources and types of the data/information in the system?

   The main sources of the data stored in the system include:

a) Data provided by the requestor on the Federal Pesticide Applicator Certification Form. EPA form number is 7100-01 and submitted to the appropriate region. The form is filled out by the pesticide applicator requesting federal certification to be able to apply restricted use pesticides under the EPA Plan for the Federal Certification of Applicators of Restricted Use Pesticides within Indian Country.

b) Information provided by state certification data (available on state websites or through correspondence with the state) upon which the federal certification is primarily based.

c) Data generated by EPA in the processing of the federal certifications, including a unique certified applicator number, federal certification categories, and/or confirmation of training for private applicators.

3. If the system has been modified, are the original personally identifiable information (PII) elements still being collected or contained in the system? If no, what are the elements currently being collected? When did the collection of the original PII elements stop? How was the old data removed from the system?

The PII elements are still being collected and contained in the system.

4. How will the information be used by the Agency?

The information will be used to make a decision on whether or not to certify an RUP applicator. EPA will document the actions it takes with each "EPA ACTION" (initial certification, duplication/replacement, recertification, denial) and will send notification to these individuals in the form of letters with attached certification cards. Limited federal certification-related information (e.g. applicator name, contact information, and certification number/category/period) will be posted to an EPA website in order to enable interested persons to identify applicators certified by EPA in various categories and to facilitate communication between tribes and certified applicators.

5. Why is the information being collected? (Purpose)

Information is collected to track the certification status for every applicator requesting a certification under the EPA Plan for the Federal Certification of Applicators of Restricted Use Pesticides within Indian Country. Each applicator receiving a federal certification must have a valid underlying state, tribal or federal certificate in order to be eligible. Private applicators also have the option to complete required training in lieu of an underlying certificate. EPA will enter the applicator's information regarding certification as Private or Commercial Applicator, and on a routine basis, verify those applicators with underlying certifications. EPA will also setup expiration dates based on certifications requested and produce reports for recordkeeping and the web.

II. Access Controls for the Data

1. To ensure user authentication, does the system have limited login attempts or require security question answers? If yes, when the user becomes locked out how will they gain access to the system?

To ensure user authentication, this system will be placed on regional servers and will only be able to be used by a single user at a time. Other users will only be able to view the database when otherwise in use.

2. How often are passwords required to be changed?

   No passwords, N/A

3. Who will have access to the data/information in the system *(internal and external parties)*? If contractors, are the Federal Acquisition Regulations (FAR) clauses included in the contract (24.104 Contract clauses; 52.224-1 Privacy Act Notification; and 52.224-2 Privacy Act)?

   Regions will determine applicable users for data entry and review based on staffing levels and constraints. EPA staff and personnel with CBI-clearance will be able to view, enter, and edit the data; only EPA staff will be able to sign letters conferring federal certification to applicators.

4. How will you educate individuals/users having authorized access about the misuse of PII data? Will users receive privacy training before gaining access to the system?

   Authorized access users have all completed agency computer training and FIFRA-specific Confidential Business Information training.

5. Has the data in the system been encrypted according to the National Institute of Standards and Technology (NIST) requirements? (Note: this requirement is for sensitive PII only)

   No sensitive PII, N/A

6. Do other systems share or have access to information in this system? If yes, who authorized the sharing? If information is being shared, please provide a copy of any agreements that were issued. *(i.e., System Administrators, System Developers, System Managers)*

   No other systems have access, N/A

7. Will other agencies, state or local governments, or other external parties (i.e., non-EPA) share or have access to information in this system? If so, what type of agreement was issued? *(i.e., ISA, MOU, etc.)* *(If any agreements were issued, the Privacy Program needs a copy for its records.*

   No data is shared with other systems, N/A

 8. Will data and/or processes be converted from paper to electronic? If so, what controls are in place to protect the data from unauthorized access or use?

   No data will be consolidated, N/A

9. Will data be shared from a system of records (SOR) with another federal agency? If so, has a computer matching agreement been initiated?

   No data is shared with other systems, N/A

III. Attributes of the Data

1. Explain how the use of the data is both relevant and necessary to the purpose for which the system is being designed. (*Provide an example or explain*)

   The data collected is used to verify the identity of the applicator and to determine if s/he is certified for the use of restricted use pesticides for the categories which they are applying for. Once certified, this information is used on the plan's website to list applicators and specific types of contact information based on the certification type.

   1) Personal information is used to complete the certification cards that approved applicators will be mailed; address information is used for this mailing. Each applicator must have a unique ID number and card based on this data.
   2) Personal information is used on the web to list applicators and enough contact information such that interested parties, eg. tribes and property-owners, can use this information to contact RUP applicators in their area.
   3) Information regarding underlying certificates/training underpins the certification cards as proof that required training has been completed. This underlying certificate is enforceable and is the legal basis for the plan.

2. How is the system designed to retrieve information by the user? Will it be retrieved by personal identifier? If yes, what identifier(s) will be used. (*A personal identifier is a name, social security number or other identifying symbol assigned to an individual, i.e. any identifier unique to an individual.*)

   The user can retrieve information by the name or Federal Applicator Number of the applicator. The information is retrieved by the applicator's name more than 50% of the time.

3. Has the system undergone a risk analysis to identify harms that may result from technical failures, malevolent third parties or human error? Yes <u>X</u> No__ (**Note: The risk analysis will help identify possible risks to the data in the system.**)

   Multiple risk analyses and testing periods have been conducted to ensure the systems work adequately and to limit risk.

4. Do individuals have the opportunity to decline to provide information or to consent to particular uses of the requested information? Yes <u>X</u> No__ If yes, how is notice given to the individual? (*Privacy policies must clearly explain where the collection or sharing of certain information may be optional and provide users a mechanism to assert any preference to withhold information or prohibit secondary use.*)

   Yes. Notice is given to the individual on the application form by identifying optional fields with the term "(optional)".

5. Where is the online privacy policy posted?
   N/A. The database is not accessible on the web. Information posted to the web follows EPA general routine uses A, B, C,D, G, H, K, and L (http://www.epa.gov/privacy/notice/general.htm), as established in FRN Vol. 77, No. 9.

IV. Maintenance and Administrative Controls

1. Has a record control schedule been issued for the records in the system or the system itself? If so, provide the schedule number. *(You may check with the record liaison officer (RLO) for your AA-ship or Tammy Boulware, Headquarters Records Officer, to determine if there is a retention schedule for the subject records. All systems **must** have a record control schedule.)*

> Applicable retention schedules include: Schedule 089

2. While the data are retained in the system, what are the requirements for determining that the information collected remains sufficiently accurate, relevant, timely, and complete to ensure fairness in making determinations?

> The data (name, applicator number, category, and status) are confirmed/checked on a routine basis for an "EPA Action" (e.g. initial certification, duplicate, replacement, recertification, denial) or EPA is notified by a certifying agency (including OECA) that a certification has been suspended or revoked. The plan requires routine recertification of federal applicators, and this will mean that data in the database is regularly updated and accurate.

3. Will this system provide the capability to identify, locate, or monitor individuals? If yes, explain.

> Information in the database can only identify individuals by applicator name, information provided on the Federal Pesticide Applicator Certification Form EPA form number is 7100-01, or by federal certification number. The form does include full contact information (phone number and address, may be a personal or business address) that would allow individuals to be located. No information is collected that provides capability of monitoring of an individual.

4. Does the system use any persistent tracking technologies?

> No persistent tracking technologies are used, N/A

5. Under which System of Records (SOR) notice does the system operate? Provide the name of the system and its SOR number if applicable. All Agency SORs are posted at http://www.epa.gov/privacy/notice/. *(A SOR is any collection of records under the control of the Agency in which the data is retrieved by a personal identifier. The SOR **must** contain the same categories of records and cover the same routine uses as your system.)*

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