

# PRIVACY IMPACT ASSESSMENT

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Office of Environmental Information

System Name: EPA's Light-Duty In-Use Vehicle Testing Program Information System

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This project is in the following stage(s):

Definition

Development/Acquisition

Implementation

Operation & Maintenance **X**

Termination

## I. Data in the System

1. Describe what data/information will be collected/contained in the system.

1) Car owner names, addresses, and vehicle VIN numbers (in computer file); 2) owners' response cards indicating willingness or not to participate; 3) owners' description of vehicle in recruitment response card and telephone questionnaires; notary statement for questionnaire; owners' optionally provided car maintenance records; results of tests on vehicles recruited; 4) vehicle release; vehicle test agreement, loaner car agreement, cash incentive agreement, cash receipt (including social security number for mandatory tax reporting purposes if the cash incentive payment is greater than \$600) for each participating owner (2-4 all in p per files).

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

VIN, car, and owner information from Michigan Secretary of State; contact information, vehicle description, maintenance records, questionnaire responses, releases, agreements and receipt from car owner; test results on car from EPA's contractor that conducts the tests.

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

The information is used to recruit and test vehicles for compliance with emissions standards in-use. The information is used to determine the emissions performance of in-use vehicles and its effect on air quality. The information can result in negotiations with the manufacturer to address issues regarding compliance with the Clean Air Act, including voluntary and, in theory, EPA-mandated recalls of vehicles.

#### 4. Why is the information being collected? (Purpose)

The Clean Air Act requires manufacturers of motor vehicles and engines to design and build vehicles that will comply with emission standards throughout their useful lives. EPA is responsible for monitoring compliance and investigating possible noncompliance with this requirement. In order to fulfill this function, it is necessary for EPA to test actual "in-use" vehicles; these vehicles must be obtained from their owners/lessees.

## II. Access Controls for the Data

1. 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 52.22 -2 Privacy Act)?

EPA and contractor employees administering the program have access to all information listed in I.1. Manufacturers have access to test results, questionnaires (including owners' names and addresses), and maintenance records. FAR clauses were included in the October, 2010 contract renewal.

2. How have you educated those having authorized access about the misuse of PII data?

Michigan Department of State-provided information is governed by an approved Security, Privacy and Personnel Policy Plan mandated by the State. Included in the Plan are provisions governing the entire information system in terms of computer security, prohibition and detection of any unauthorized access or use of personal information, employee agreements, annual review, notification of violations, a system of supervision and disciplinary actions if necessary.

3. Do other systems share or have access to data/information in this system? If yes, explain who will be responsible for protecting the privacy rights of the individuals affected by the interface? (*i.e., System Administrators, System Developers, System Managers*)

No other computer or electronic information systems share this information.

4. Will other agencies, state or local governments share or have access to data/information in this system (*includes any entity external to EPA.*)? If so, what type of agreement was issued? (*i.e., ISA, MOU, etc.*)

No other public agencies, state or local governments share or have access to data or information in this system.

5. Is the data and/or processes being consolidated? If so, are the proper controls in place to protect the data from unauthorized access or use?

The process and data are not being consolidated.

## 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.

Secretary of State information is necessary to recruit participants. Response card is necessary for further recruitment. Questionnaire information is necessary to determine whether the vehicle of a potential participant is suitable for testing. Test results are the purpose of the program.

Manufacturers are potentially subject to enforcement for violating the useful life requirements of the Clean Air Act. In most cases problems detected through testing are resolved by agreement with the manufacturers on the nature of the problem and the steps necessary to address it. In order to accomplish this efficient resolution of issues, manufacturers are closely involved in every step of the program, and need access to the questionnaire information regarding the vehicle, any owner-provided maintenance records, and test results. All other information in the system (such as vehicle loaner car agreement, etc.) are necessary to administer the program and are handled exclusively by the contractor.

2. How is the system designed to retrieve information by the user? Will it be retrieved by personal identifier more than 50% of the time? If yes, explain. *(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.)*

Secretary of State information is formatted by a computer program that organizes it by class of vehicle and zip code and assigns control numbers. All subsequent information, including questionnaires, test results and maintenance records are stored in paper files, and steps in the process are tracked and filed by EPA Control Numbers. These Control Numbers are used to retrieve information in all cases.

3. Do individuals have the opportunity to decline to provide information or to consent to particular uses of the requested information? 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, participation is entirely voluntary and potential participants are informed of the uses of the information at the time of initial contact and questionnaire and that their participation is voluntary.

4. Where is the Web privacy policy stated?

This system has no web component.

#### **IV. Maintenance and Administrative Controls**

1. Has a record control schedule been issued for the records in the system? 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.)*

EPA Records Schedule 483

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

The only data in this system relevant in this sense are test results. If there are questions regarding the test results, the program has informal procedures for resolving the issues with the testers and

manufacturers, as appropriate. In case test issues are not resolved at this stage, there is a formalized procedure for recruiting additional vehicles for a "compliance" testing phase.

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

Individuals are contacted at the vehicle recruitment stage and contact continues until the vehicle is returned. Manufacturers are given copies of the files in item I.1.2 above and may in some cases contact the owner identified in a record for purposes of requesting voluntary participation in a manufacturer-conducted retest.

4. Does the system use any persistent tracking technologies?

No.

5. Under which System of Records (SOR) notice does the system operate? Provide the name of the system and its SOR number if applicable. A list of Agency SORs are posted at <http://www.epa.gov/privacy/notice/>. (A SOR is any collection of record under the control of the Agency in which the data is retrieved by a personal identifier.)

The system operates under System of Records EPA-60.