

U.S. Nuclear Regulatory Commission

Privacy Impact Assessment

(Designed to collect the information necessary to make relevant determinations regarding the applicability of the Privacy Act, the Paperwork Reduction Act information collections requirements, and record management requirements.)

for

RULEFORUM

Date: September 20, 2007

A. GENERAL SYSTEM INFORMATION

1. Provide brief description of the system:

NRC's RuleForum is a public website that was developed to further public participation in the NRC rulemaking process by providing an easy means for members of the public to access and comment on NRC rulemaking actions. RuleForum is a collection of NRC rulemakings to which the agency has requested comments, and provides the ability for the general public, stakeholders, and Agreement States to view and comment on these rulemakings electronically.

2. What agency function does it support?

Rulemaking

3. Describe any modules or subsystems, where relevant, and their functions.

N/A

4. Points of Contact:

Project Manager	Office/Division/Branch	Telephone
Carol Gallagher	ADM/DAS/RDEB/RT	415-5905
Business Project Manager	Office/Division/Branch	Telephone
Michael Lesar	ADM/DAS/RDEB/RT	415-7163
Technical Project Manager	Office/Division/Branch	Telephone

Paul Wilson	LLNL	925-422-6220
Executive Sponsor	Office/Division/Branch	Telephone
Jenne Bartlett	LLNL	925-424-2202

5. Does this Privacy Impact Assessment (PIA) support a proposed new system or a proposed modification to an existing system?

a. New System Modify Existing System Other (Explain)

The system is owned and operated by Lawrence Livermore National Laboratory (LLNL), Department of Energy (DOE). PIA for required C&A documentation.

b. If modifying an existing system, has a PIA been prepared before?

No

(1) If yes, provide the date approved and ADAMS accession number.

B. INFORMATION COLLECTED AND MAINTAINED

(These questions are intended to define the scope of the information requested as well as the reasons for its collection. Section 1 should be completed only if information is being collected about individuals. Section 2 should be completed for information being collected that is not about individuals.)

1. INFORMATION ABOUT INDIVIDUALS

a. Does this system maintain information about individuals?

Yes

(1) If yes, what group(s) of individuals (e.g., Federal employees, Federal contractors, licensees, general public) is the information about?

General public, Stakeholders, and Agreement States (any individual or organization)

b. What information is being maintained in the system about individuals (describe in detail)?

Name, address, and their comments

c. Is the information being collected from the subject individuals?

Yes

(1) If yes, what information is being collected from the individuals?

Name, address, and comments on rulemaking action.

d. Will the information be collected from 10 or more individuals who are **not** Federal employees?

Yes

(1) If yes, does the information collection have OMB approval?

N/A - not required. Public comments are exempt from the Paperwork Reduction Act.

(a) If yes, indicate the OMB approval number:

e. Is the information being collected from internal files, databases, or systems?

Yes. Comments submitted directly to the NRC are added to ADAMS and when publicly available are copied over to the RuleForum.

(1) If yes, identify the files/databases/systems and the information being collected.

ADAMS (publicly available final and proposed rules, comments, background documentation, etc. are copied to RuleForum)

f. Is the information being collected from an external sources(s)?

No

(1) If yes, what is the source(s) and what type of information is being collected?

g. How will this information be verified as current, accurate, and complete?

N/A

h. How will the information be collected (e.g. form, data transfer)?

Website form.

i. What legal authority authorizes the collection of this information?

N/A

j. What is the purpose for collecting this information?

The purpose for collecting the name and address are to acknowledge receipt of comments.

2. **INFORMATION NOT ABOUT INDIVIDUALS**

a. What type of information will be maintained in this system (describe in detail)?

Public dissemination of rulemaking activity (including proposed/final rules, background policy documentation, submitted comments) and collecting comments

b. What is the source of this information? Will it come from internal agency sources and/or external sources? Explain in detail.

Proposed rules or petitions that are published in the *Federal Register*, *CFR*, and/or the NRC's electronic reading room on the NRC public website.

c. What is the purpose for collecting this information?

To track public comments - the activities of soliciting, maintaining, and responding to public comments regarding proposed regulations.

C. **USES OF SYSTEM AND INFORMATION**

(These questions will identify the use of the information and the accuracy of the data being used.)

1. Describe all uses made of the information.

RuleForum uses this information type to process and track comments on proposed rulemakings that have been published by the NRC in the *Federal Register*, petitions for rulemakings that have been received and docketed by the NRC, and other types of documents related to rulemaking proceedings.

2. Is the use of the information both relevant and necessary for the purpose for which the system is designed?

Yes. General public use and an open public process.

3. Who will ensure the proper use of the information?
The System Administrator at LLNL, DOE
4. Are the data elements described in detail and documented?
Yes.
 - a. If yes, what is the name of the document that contains this information and where is it located?
Maintained with LLNL and DOE.
5. Will the system derive new data or create previously unavailable data about an individual through aggregation from the information collected?
No
 - a. If yes, how will aggregated data be maintained, filed, and utilized?
 - b. How will aggregated data be validated for relevance and accuracy?
 - c. If data are consolidated, what *controls* protect it from unauthorized access, use, or modification?
6. How will the information be *retrieved* from the system (be specific)?
All documents at the RuleForum Web site are publicly available. Anyone can download any of the information. Rulemaking information is retrieved depending on the category of document of interest such as final or proposed rules, published documents, etc.
7. Will this system provide the capability to identify, locate, and monitor (e.g., track, observe) individuals?
No
 - a. If yes, explain.
 - (1) What controls will be used to prevent unauthorized monitoring?
8. Describe the report(s) that will be produced from this system.

No reports are required.

- a. What are the reports used for?
- b. Who has access to these reports?

D. RECORDS RETENTION AND DISPOSAL

(These questions are intended to establish whether the information contained in this system has been scheduled, or if a determination has been made that a general record schedule can be applied to the information contained in this system. Reference NUREG-0910, "NRC Comprehensive Records Disposition Schedule.")

1. Has a retention schedule for this system been approved by the National Archives and Records Administration (NARA)?

Only publicly available, official agency records from ADAMS regarding rulemaking activities are copied to RuleForum.

Public comments submitted through RuleForum follow retention schedule N1-431-00-4, item 6.a(3).

2. Is there a General Records Schedule (GRS) that applies to information in this system?

No.

- a. If yes, list the disposition schedule.

3. If you answered no to questions 1 and 2, complete NRC Form 637, NRC Electronic Information System Records Scheduling Survey, and submit it with this PIA.

An NRC Form 637 was completed and submitted with this PIA.

E. ACCESS TO DATA

1. INTERNAL ACCESS

- a. What organizations (offices) will have access to the information in the system?

Agencywide - Full public Web-based access.

(1) For what purpose?

For the purpose of tracking comments on new rulemaking activities.

(2) Will access be limited?

No - Full public Web-based access.

b. Will other systems share or have access to information in the system?

No

c. How will information be transmitted or disclosed?

Full public access on the RuleForum Web site.

d. What controls will prevent the misuse (e.g., unauthorized browsing) of information by those having access?

N/A - General public use for an open public process. Under the purview of LLNL and DOE

e. Are criteria, procedures, controls, and responsibilities regarding access documented?

Under the purview of LLNL and DOE

(1) If yes, where?

LLNL and DOE

2. **EXTERNAL ACCESS**

a. Will external agencies/organizations/public share or have access to the information in this system?

Yes - Full public Web-based access

(1) If yes, who.

The public citizen. These are public records on rulemaking activities.

b. What information will be shared/disclosed and for what purpose?

RuleForum uses this information to process and track comments on proposed rulemakings that have been published by the NRC in the *Federal Register*, petitions for rulemakings that have been received and

docketed by the NRC, and other types of documents related to rulemaking proceedings.

- c. How will this information be transmitted/disclosed?

Posted to the ruleforum public web site

F. TECHNICAL ACCESS AND SECURITY

1. Describe security controls used to limit access to the system (e.g., passwords). Explain.

The LLNL and DOE system administrator and alternate system administrator are the only personnel that have user identifications and passwords that allow them to perform routine file maintenance.

2. Will the system be accessed or operated at more than one location (site)?

N/A. Under the purview of LLNL and DOE.

- a. If yes, how will consistent use be maintained at all sites?

3. Which user group(s) (e.g., system administrators, project manager, etc.) have access to the system?

LLNL and DOE system administrators

4. Will a record of their access to the system be captured?

Under the purview of LLNL and DOE

- a. If yes, what will be collected?

5. Will contractors have access to the system?

N/A. Under the purview of LLNL and DOE.

- a. If yes, for what purpose?

6. What auditing measures and technical safeguards are in place to prevent misuse of data?

Under the purview of LLNL and DOE

7. Are the data secured in accordance with FISMA requirements?

Under the purview of LLNL and DOE

- a. If yes, when was Certification and Accreditation last completed?

PRIVACY IMPACT ASSESSMENT REVIEW/APPROVAL
(For Use by OIS/IRSD/RFPSB Staff)

System Name: **RULEFORUM**

Submitting Office: **OFFICE OF ADMINISTRATION (ADM)**

A. PRIVACY ACT APPLICABILITY REVIEW

Privacy Act is not applicable.

Privacy Act is applicable. Currently covered under System of Records, NRC- . No modification to the system notice is required.

Privacy Act is applicable. Creates a new system of records. FOIA/PA Team will take the lead to prepare the system notice.

Privacy Act is applicable. Currently covered under System of Records, NRC- . Modification to the system notice is required. FOIA/PA Team will take the lead to prepare the following changes:

Comments:

RuleForum supports an open public process for general public use, which allows anyone the opportunity to voluntarily provide their view point on any rulemaking activity. Information in RuleForum is not retrieved by an individual's name or personal identifier. It is maintained by categories such as final or proposed rules, background, policy, published documents, etc.

NRC has provided the following public notice through its Privacy Policy which is accessible on the NRC external Web site:

*“Any comments that you submit to the NRC on a proposed rulemaking, petition, or other document for which public comment is requested **will** be made public, including any personally identifiable information you include in your submission.”*

NOTE: As of this review RuleForum was shutdown due to technical issues. NRC/ADM's decision to continue use of this system is under evaluation since the new government-wide e-rulemaking solution for rulemaking activities, the Federal Docket Management System (FDMS), is scheduled to go live in December 2007. FDMS is maintained by the E-Rulemaking Program Manager Office.

Reviewer's Name	Title	Date
Sandra S. Northern	Privacy Program Officer	October 9, 2007

B. INFORMATION COLLECTION APPLICABILITY DETERMINATION

- No OMB clearance is needed.
- OMB clearance is needed.
- Currently has OMB Clearance. Clearance No. _____

Comments:

NRC's RuleForum public website was developed to allow easy public participation in the NRC rulemaking process by providing a means for members of the public to access and comment on NRC rulemaking actions. Although name, address, and comment information is provided by the public, this information does not require an OMB approval, and OMB clearance is not required.

Reviewer's Name	Title	Date
Christopher J. Colburn	Senior Analyst	October 9, 2007

C. RECORDS RETENTION AND DISPOSAL SCHEDULE DETERMINATION

- No record schedule required.
- Additional information is needed to complete assessment.
- Needs to be scheduled.
- Existing records retention and disposition schedule covers the system - no modifications needed.
- Records retention and disposition schedule must be modified to reflect the following:

Comments:

Data in this system is scheduled under N1-431-00-4, item 6.a(3).

Reviewer's Name	Title	Date
Tracy Clark	Records Management Analyst	10/03/07

**TRANSMITTAL OF PRIVACY IMPACT ASSESSMENT/
PRIVACY IMPACT ASSESSMENT REVIEW RESULTS**

TO: Timothy Hagan, Director, Office of Administration	
Name of System: RuleForum	
Date RFPSB received PIA for review: September 20, 2007	Date RFPSB completed PIA review: October 10, 2007
<p>Noted Issues:</p> <p>No Privacy Act issues.</p> <p>PII - The Office of General Counsel has advised that it is not necessary to remove home addresses, home phone numbers, or home email addresses from adjudicatory filings, documents associated with agency rulemakings, and correspondence received from the public on regulatory matters.</p> <p>No OMB clearance is required.</p>	
Margaret A. Janney, Chief Records and FOIA/Privacy Services Branch Office of Information Services	Signature/Date: <i>/RA/</i> 10/10/2007
<p><i>Copies of this PIA will be provided to:</i></p> <p><i>James C. Corbett, Director Business Process Improvement and Applications Division Office of Information Services</i></p> <p><i>Kathy L. Lyons-Burke, CISSP Senior IT Security Officer (SITSO)/Chief Information Security Officer (CISO) Office of Information Services</i></p>	