



Memorandum

Date: 4 August 2017

From: Chief, Hazard Evaluations and Technical Assistance Branch
Division of Surveillance, Hazard Evaluations and Field Studies

Subject: Privacy Act Supporting Statement for Revision of OMB No. 0920-0260

To: Tamekia Foley
NIOSH-OD OMB Coordinator
Through: Director, DSHEFS

This memo is a part of the Office of Management and Budget (OMB) Renewal Package 0920-0260 requesting revision of OMB approval for a **data collection entitled “Health Hazard Evaluation/Technical Assistance and Emerging Problems.”** Pursuant to its mandates under the Occupational Safety and Health Act of 1970 and the Federal Mine Safety and Health Act of 1977, and authorized by 42 CFR 85, NIOSH responds to requests for health hazard evaluations (HHEs) to identify chemical, biological or physical hazards in workplaces and provide guidance to reduce any hazards found. NIOSH receives and responds to about 300 requests annually. Respondents to these data collection activities may include state and local governments. Responses arrive with identifiable information.

NIOSH sends HHE reports to employers and employees, the Department of Labor, and other federal, state, and local agencies. NIOSH administers a followback program to assess the effectiveness of HHEs in reducing workplace hazards. This ongoing data collection activity was last approved by OMB in 2014. The attached supporting statement represents no changes in procedures from the last submission. Revisions in burden hours incorporate this latest approval period to reflect current reality.

Questionnaires used in health hazard evaluations typically do not include any items that are traditionally considered sensitive. No questions of a sensitive nature will be asked such as relating to trade secrets, sexual behavior, religious attitudes, or other matters that are commonly considered private. Unique personal identifiers, however, are collected. While the project is ongoing the personal information is kept in a locked file cabinet, accessible to **NIOSH** staff involved in the data collection activities. Electronic files are maintained on government owned devices compliant with agency data security and information technology protection policies.

After the project is completed records with personal identifiers are retained in a locked file room within a restricted access building up to 10 years. Electronic files are moved to limited access archive file system. Subsequently these files are sent to the Federal Records Center, where they are retained following the requirements of the appropriate NIOSH System of Records in accordance with National Archives Record Administration record requirements. Personal identifiers are not used on electronic files kept on a computer, which instead use a

unique study identification number. The key linking the personal identifiers with the study identification number is kept with the study records in a locked file cabinet. Records are securely destroyed upon expiration of the specified record retention period.

The consent form is located in Attachment E2 of the supporting statement. Attachment E1 is the NIOSH Human Subjects Review Board memo confirming closure of annual reviews for routine Health Hazard Evaluation investigations. Health Hazard Evaluations are considered public health practice and do not require annual Human Subjects Review.

I appreciate your review of this submission for Privacy Act issues. I look forward to receiving your feedback and guidance.

Allison Tepper, PhD

Attachment:
2017 OMB Renewal Package 0920-0260