

REGISTER NUMBER: 245

NOTIFICATION FOR PRIOR CHECKING

Date of submission: 05/06/2007

Case number: 2007-378

Institution: European Commission

Legal basis: article 27-5 of the regulation CE 45/2001⁽¹⁾

(1) OJ L 8, 12.01.2001

INFORMATION TO BE GIVEN⁽²⁾

(2) Please attach all necessary backup documents

1/ Name and address of the controller

2) Name and First Name of the Controller: WAGNER Werner

3) Title: Director

4) Directorate, Unit or Service to which the Controller is attached: E.07

5) Directorate General to which the Controller is attached: JRC

2/ Organisational parts of the institution or body entrusted with the processing of personal data

26) External Company or Directorate General to which the Processor is attached:

25) External Company or Directorate, Unit or Service to which the Processor is attached:

GFS in charge of reading official dosimeter values

External Physicians for medical examinations

FZK in charge of conducting incorporation measurements

3/ Name of the processing

AGS-EDV DATABASE at JRC-ITU in Karlsruhe

4/ Purpose or purposes of the processing

The purpose of the processing of personal data is to meet the legal requirements of the radiation protection regulations recording dosimeter data of people, workers and visitors, when accessing the radioprotection areas.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

The persons who are recorded in the database are both occupational exposed persons and visitors exposed to ionising radiations:

- JRC staff
- External staff under contract
- Visitors

16) Category(ies) of Data Subjects:

Refer to 14).

6/ Description of the data or categories of data (including, if applicable, special categories of data (article 10) and/or origin of data)(including, if applicable, special categories of data (article 10) and/or origin of data)

17) Data field(s) of Data Subjects:

Attention: Please indicate and describe in the answer to this question also data fields which fall under article 10

The data fields are listed as follow :

- Unique identification number
- Name
- Surname
- Name of birth (if applicable)
- Date of birth
- Nationality
- Date of start of work at the ITU
- Date of end of work at the ITU
- Dates and results of medical clearances
- Dates and results of dose values (official and operational)
- Dates and results of periodical incorporation examinations
- Dates and results of tests of fitness capacity to work as occupationally exposed person
- Follow up of periodical compulsory information sessions
- Dates and results of incident reports

This processing of personal data is subjected to Art. 10.

18) Category(ies) of data fields of Data Subjects:

Attention: Please indicate and describe in the answer to this question also categories of data fields which fall under article 10

Refer to 17).

7/ Information to be given to data subjects

15a) Which kind of communication(s) have you foreseen to inform the Data Subjects as described in articles 11 - 12 under 'Information to be given to the Data Subject'

Information according to articles 11 & 12 will be given to the data subjects, when they receive their first compulsory radiation protection information session.

See also the enclosed privacy statement.

8/ Procedures to grant rights of data subjects (rights of access, to rectify, to block, to erase, to object)(*rights of access, to rectify, to block, to erase, to object*)

15b) Which procedure(s) did you put in place to enable Data Subjects to exert their rights: access, verify, correct, etc., their Personal Data as described in articles 13 - 19 under 'Rights of the Data Subject' :

In the compulsory radiation protection information sessions (every six months) it is said that the respective persons can exert their rights according to articles 13-19 ("Rights of the data subjects") by consulting the controller of the AGS-EDV database.

9/ Automated / Manual processing operation

7) Description of Processing:

Attention: Please describe in the answer to this question if you process personal data falling under article 27 "Prior-Checking (by the EDPS - European Data Protection Supervisor)"

The AGS-EDV database consists of records of persons who work in the radiation protection areas of the Institute for Transuranium Elements in Karlsruhe.

Each person must follow a compulsory radiation protection information session which is given by an official of the radioprotection group.

During this course the person has to provide some personal data which are collected on a paper form, on this form also appear different parameters which are given by the radioprotection officer.

In order to record each exposed person who works in a radioprotection area, we use the mentioned form. When it is completed it contains the following information:

- Name, surname, date of birth, nationality
- Name & address of the respective company
- Date of last medical clearance
- Types of dosimeters to be given
- Type of medical and incorporation analyses to be organised

8) Automated Processing operation(s):

A unique number is attributed to each person, this identification number will be used at the ITU according to §42, StrlSchV.

The database is set to detect persons who are exceeding predefined limits of doses, therefore reports with the names of persons are produced automatically in order to inform as quickly as possible and to maintain doses as low as possible.

Periodical reports are produced in order to inform responsible and authorised bodies in the different companies and supervisory authorities about the received doses.

9) Manual Processing operation(s):

All data are entered according to 17).

Any kind of report can be made manually after authorisation of access to the database, that is if necessary.

Besides this we produce the following reports every month:

- List of persons wearing dosimeters
- List of decreasing doses in order to identify the highest exposition
- Collective doses for the institute
- Production of statistical graphs showing how doses are received over a period of time
- Detailed reports on demand (exposed person, hierarchy or medical service)

10/ Storage media of data

All data are received on paper form, then they are registered in the electronic database.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

- German legislation
 1. Strahlenschutzverordnung (StrlSchV) as of 20.07.2001
 2. Atomgesetz as of 15.07.1985
- Euratom Treaty as of 25.03.1957
 - http://europa.eu/scadplus/treaties/euratom_en.htm
 - <http://eur-lex.europa.eu/en/treaties/dat/12006A/12006A.html>

12) Lawfulness of Processing:

Answering this question please also verify and indicate if your processing has to comply with articles 20 "Exemptions and restrictions" and 27 "Prior checking (by the EDPS)"

This personal data processing is necessary according to art. 5a) & b), it falls under Art. 20 and 27.

12/ The recipients or categories of recipient to whom the data might be disclosed

20) Recipient(s) of the Processing:

Competent persons according to ionising radiations regulations (Strahlenschutzverordnung) e.g.:

- National supervisory authorities
- Director of the ITU
- Unit head and his deputies of the radioprotection group of the ITU
- Group leaders of the radioprotection group of the ITU
- Processors (? members of the radioprotection group of the ITU)
- ADMIN medical service
- ITU nurses linked to ADMIN
- Radioprotection experts from outside

Data transfer follows art. 7, 8 & 9.

21) Category(ies) of recipients:

Refer to 20).

13/ retention policy of (categories of) personal data

The maximum retention period is 95 years after the date of birth of the data subject (? §42 StrlSchV).

13 a/ time limits for blocking and erasure of the different categories of data (on justified legitimate request from the data subject) (Please, specify the time limits for every category, if applicable)
(on justified legitimate request from the data subject)
(Please, specify the time limits for every category, if applicable)

22 b) Time limit to block/erase data on justified legitimate request from the data subjects

After a justified and legitimate request data modification will be made within a month.

14/ Historical, statistical or scientific purposes

If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification,

22 c) Historical, statistical or scientific purposes - If you store data for longer periods than mentioned above, please specify, if applicable, why the data must be kept under a form which permits identification

Only anonymous statistical data.

15/ Proposed transfers of data to third countries or international organisations

27) Legal foundation of transfer:

Only transfers to third party countries not subject to Directive 95/46/EC (Article 9) should be considered for this question. Please treat transfers to other community institutions and bodies and to member states under question 20.

If persons from third party countries are exposed to radiation at the ITU, the ITU will send the data required by the radiation passbook to the responsible person and, if necessary, to the respective authorities (as required by StrISchV)

Data transfer follows art. 9.

28) Category(ies) of Personal Data or Personal Data to be transferred:

Refer to items 17) & 18).

16/ The processing operation presents specific risk which justifies prior checking (please describe): *(please describe)*:

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Article 27.2.(a) Processing of data relating to health and to suspected offences, offences, criminal convictions or security measures,

Article 27.2.(a) Processing of data relating to health

Article 27.2.(b) Processing operations intended to evaluate personal aspects relating to the data subject,

n/a

Article 27.2.(c) Processing operations allowing linkages not provided for pursuant to national or Community legislation between data processed for different purposes,

n/a

Article 27.2.(d) Processing operations for the purpose of excluding individuals from a right, benefit or contract,

n/a

Other (general concept in Article 27.1)

n/a

17/ Comments

1) Date of submission:

10) Comments if applicable:

AGS = Abteilung für Gesundheit und Strahlenüberwachung

EDV = Elektronische Datenverarbeitung)

StrlSchV = Strahlenschutzverordnung

NSI/AGS = Nuklear Sicherheit und Infrastruktur - Abteilung für Gesundheit und Strahlenüberwachung

NSI/OZ = Nuklear Sicherheit und Infrastruktur - Objektsicherung

FZK = Forschungszentrum Karlsruhe

36) Do you publish / distribute / give access to one or more printed and/or electronic directories?

Personal Data contained in printed and/or electronic directories of users and access to such directories shall be limited to what is strictly necessary for the specific purposes of the directory.

If Yes, please explain what is applicable.

yes

Only to authorised users, that is members of the radioprotection group.

37) Complementary information to the different questions if applicable, including attachments to this notification which should not be public :

n/a

PLACE AND DATE:05/06/2007

DATA PROTECTION OFFICER: RENAUDIÈRE Philippe

INSTITUTION OR BODY:European Commission