

**REGISTER NUMBER: 650**

**NOTIFICATION FOR PRIOR CHECKING**

Date of submission: 14/12/2010

Case number: 2010-997

Institution: Commission

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

(1) OJ L 8, 12.01.2001

**INFORMATION TO BE GIVEN<sup>(2)</sup>**

(2) Please attach all necessary backup documents

1/ Name and adress of the controller

2) Name and First Name of the Controller: OSIMANI Celso

3) Title: Head of Unit

4) Directorate, Unit or Service to which the Controller is attached: DG.C

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:

JRC.DG.C

IBERDROLA/LAINSA

3/ Name of the processing

ALL RADIATION PROTECTION PROCESSES AT JRC-ISM ISPRA

4/ Purpose or purposes of the processing

Dosimetric data management is a legal obligation.

Moreover, it is requested to monitor and optimize workers' exposure to radiation, effectiveness of JRC-Ispra Radiation Protection system, and to implement corrective measures or improvements.

5/ Description of the category or categories of data subjects

14) Data Subject(s) concerned:

All workers operating in JRC-Ispra are subject to data processing/management for dosimetric purposes:

- JRC staff
- Outside workers
- Visitors

16) Category(ies) of Data Subjects:

All workers operating in JRC-Ispra are subject to data processing/management for dosimetric purposes:

- JRC staff
- Outside workers
- Visitors

and are classified in EXPOSED and NON-EXPOSED WORKERS

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

Name, family name, personal EC number, gender, date of birth, date started working at the JRC, date having left the JRC, employer name, radiation worker category, dosimeters numbers, kind of exposure to radiation. Previous doses, intakes of radioactivity from RTX analyses or WBC analyses, dose evaluations, fitness to work, long illness (more than 21 days), data related to incidents and/or accidents involving radioactivity. Training to radiation protection.

This processing of personal data is subjected to Article 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

Personal data collected.

This processing of personal data is subjected to Article 10.

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'

A privacy statement, according to Italian privacy regulations, is available to data subjects: it will be posted in the Sector's intranet and made available to data subjects also in paper form.

====> please attach this 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' :

Data subjects can email the functional mailbox:

[jrc-segreteria-radioprotezione@ec.europa.eu](mailto:jrc-segreteria-radioprotezione@ec.europa.eu)

Data subjects can refer directly to the controller (who is also the appointed License Holder for JRC-Ispra's nuclear facilities) to exert their rights.

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)"

This new notification procedure covers ALL Radiation Protection processes in JRC-ISM.

In fact EDPS case 2007-505 does not reflect anymore the operational procedures in place for what concerns dosimetry and personal data.

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Personal and dosimetric data of internal and external Exposed workers are stored and treated in the Radiation Protection Archives (of the Radiation Protection Sector), in order to ensure provision of Radiation Protection Services at JRC-Ispra.

This data are an essential part of the Worker's Personal Dossier and dosimetric monitoring plan, updated and maintained according to the Italian Legislation (D. Lgs. 230/95 and subsequent amendments).

The personal dosimetry system in use at the JRC-Ispra is composed of:

- Personal electronic direct-reading dosimeters (EPDs)

8) Automated Processing operation(s):

Generation of a unique reference number to be used as EPD identifier, and linked to a specific worker.

Generation of a list of monthly dosimeter readings, radiotoxicology and whole body count data, to be used for QE's dose evaluations.

Generation/preparation of part of workers' dosimetric sheets.

Generation of a report showing all changes made to the database.

Generation of internal statistical reports (also in anonymous format).

9) Manual Processing operation(s):

Personal data entry.  
Scan of documents and uploading in the UDS database  
Update of personal data, whenever necessary.  
Personal workers' dose evaluations (done by the Qualified Expert).

10/ Storage media of data

Paper and electronic media.

11/ Legal basis and lawfulness of the processing operation

11) Legal basis of Processing:

According to the attached European Directive (96/29), IAEA Basic Safety Standards (No 115) and Italian legislation (241/00, 230/95, 257/01), individual dose monitoring is mandatory for each exposed worker

.  
See also European Directive for Outside Workers 90/641.

See also Treaty of EURATOM, Chapter I, Art. 8.: The Commission establishes a Joint Centre for Nuclear Research (CCR = JRC ) and Italian Law 906/1960, stating that Italian Nuclear regulation is applied in JRC-ISPRA.

==> could you please attach all the announced legal documents including:

- the Italian Legislation (D. Lgs. 230/95 and subsequent amendments)  
as explained at point 7) Description;
- the art. 13 of Annex XI of the above legislation as explained at point 10) Comments;
- the D.L. 230-Capo VIII, Allegato XI as explained at point 22) Retention

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)"

Article 5(a), 45/2001.

This personal data processing falls under Art. 27

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

20) Recipient(s) of the Processing:

JRC-ISPRA Qualified Expert(s) and JRC Medical Officers as identified in European Directive 96/29 and Italian Legislation D.L. 230/95.

Unit Heads and Directors of Data Subjects (Administrative data, medical data, professional risks exposure sheets).

Data transfer follows Article 7. of the Regulation (EC) 45/2001.

21) Category(ies) of recipients:

- JRC-ISPRA Qualified Expert(s)
- JRC-ISPRA Medical Officers.
- Employer(s), i.e, JRC-ISPRA Director(s)

13/ retention policy of (categories of) personal data

European Directive 96/29 Section 4, Article 28, IAEA Basic Safety Standards (No 115) and Italian Legislation D.L. 230-Capo VIII, Allegato XI. requires that dose records must be retained during the whole working life involving exposure to ionising radiation and afterwards until the individual reaches -or would have reached- the age of 75 (but in any case not less than 30 years from the termination of the work or from the visit date).

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

Following a justified and legitimate request by the Data Subject, the personal data can be modified in the database (and/or in the Radiation Protection Archives) within 15 working days

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

Anonymous annual statistics.

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.

Not applicable

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

Not applicable

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

7) Description of Processing:

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This personal data processing falls under Art. 27

☐ 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:

Physical documental Radiation Protection Archives are compulsory, according to Italian Law, and dosimetric personal data must be retained for long periods.

Currently, the UDS database is mostly used for operational management of dosimetric data, but is intended, in the future, to substitute physical Radiation Protection archival.

Specific provisions are given in the Italian Radiation Protection law, in order to authorize electronic dosimetric data archival and management (art. 13 in annex XI to D. Lgs. 230/95). The UDS satisfies these requirements.

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.

no

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

PLACE AND DATE:13/12/2010

DATA PROTECTION OFFICER: RENAUDIERE Philippe

INSTITUTION OR BODY:European Commission