

Dated: June 18, 2008.

**Jennifer Spaeth,**

*Director, Office of Federal Advisory  
Committee Policy.*

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## DEPARTMENT OF HOMELAND SECURITY

### Office of the Secretary

[Docket No. DHS-2008-0061]

### Public Workshop: Implementing Privacy Protections in Government Data Mining

**AGENCY:** Privacy Office, DHS.

**ACTION:** Notice announcing public workshop.

**SUMMARY:** The Department of Homeland Security Privacy Office will host a public workshop, *Implementing Privacy Protections in Government Data Mining*.

**DATES:** The two-day workshop will be held on July 24, 2008, from 8:30 a.m. to 4:30 p.m., and on July 25th, 2008, from 8:30 a.m. to 12:30 p.m. Written comments should be received on or before July 17, 2008.

**ADDRESSES:** The workshop will be held in the International Ballroom East, Hilton Washington, 1919 Connecticut Avenue, NW., Washington, DC 20009. Send comments by e-mail to [privacyworkshop@dhs.gov](mailto:privacyworkshop@dhs.gov), by fax to (703)-235-0442, or by mail to Toby Milgrom Levin, Senior Advisor, Privacy Office, Department of Homeland Security, Washington, DC 20528. All comments must include the words "Data Mining Workshop" and the Docket Number (DHS-2008-0061). To register for the Workshop, please send an e-mail to [privacyworkshop@dhs.gov](mailto:privacyworkshop@dhs.gov) with "Data Mining Workshop Registration" in the subject line, and your name and organizational affiliation in the body of the e-mail. Alternatively, you may call 703-235-0780 to register and provide this information.

**FOR FURTHER INFORMATION CONTACT:**

Toby Milgrom Levin, DHS Privacy Office, Department of Homeland Security, Washington, DC 20528; by telephone 703-235-0780; by facsimile 703-235-0442; or by e-mail at [privacyworkshop@dhs.gov](mailto:privacyworkshop@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Department of Homeland Security (DHS) Privacy Office is holding a public workshop to bring together leading academic, policy, and technology experts to explore methods of validating the accuracy and effectiveness of data mining models and rules, and the role

of anonymization tools and automated audit controls in protecting privacy. The purpose of the workshop is to inform the Privacy Office as it prepares its 2008 report to Congress on DHS data mining activities.<sup>1</sup> The workshop will consist of a series of presentations and panel discussions that include the broad range of stakeholder perspectives. Workshop attendees will have an opportunity to ask questions after each panel.

The workshop is open to the public, and no fee is required for attendance.

**Topics for Comment:** To develop a comprehensive record regarding privacy protections in government data mining, the DHS Privacy Office also invites interested parties to submit written comments as described below. Comments should be received on or before July 17, 2008, and should be as specific as possible. The Privacy Office is particularly interested in receiving comments on the following topics:

1. How can government data mining activities be carried out in a manner that respects privacy?

2. How do the privacy issues posed by government data mining compare to those posed by other types of data analysis by the government? What are the similarities and differences? Are there privacy issues that are unique to government data mining?

3. What should be the elements of privacy best practices for government data mining? The Privacy Office requests that, where possible, comments include references to literature, technical standards and/or other resources that would support implementation of the best practices identified.

4. What should be the criteria for validating government data mining models and rules?

5. Are anonymization techniques or tools currently available that could be used in conjunction with government data mining? How effective are these techniques or tools? What are their costs and benefits? What degree of de-identification do they make possible?

6. What automated audit controls can be implemented in connection with

government data mining? How effective are these controls? What are their costs and benefits?

7. Are there protections other than anonymization and automated audit controls that should be considered in connection with government data mining? How effective are any such protections? What are their costs and benefits?

8. Data quality plays an important role in the ability of government data mining techniques to produce accurate results. What data quality standards should DHS adopt for data mining?

9. What redress mechanisms should be implemented to protect privacy and also preserve the integrity and confidentiality of government investigative activities?

Written comments must include the words "Data Mining Workshop" and the Docket Number (DHS-2008-0061), and may be submitted by any one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *E-mail:* [privacyworkshop@dhs.gov](mailto:privacyworkshop@dhs.gov). Include "Data Mining Workshop Comment" in the subject line of the message.

- *Fax:* 703-235-0442.

- *Mail:* Toby Milgrom Levin, Senior Advisor, Privacy Office, Department of Homeland Security, Washington, DC 20528.

All written comments received will be posted without alteration on the <http://www.dhs.gov/privacy> Web page for this workshop, including any personal contact information provided.

**Registration:** In order to assist us in planning for the workshop, we ask that attendees register in advance. To register, please send an e-mail to [privacyworkshop@dhs.gov](mailto:privacyworkshop@dhs.gov) with "Data Mining Workshop Registration" in the subject line, and your name and organizational affiliation in the body of the e-mail. Alternatively, you may call 703-235-0780 to register and to provide the DHS Privacy Office with your name and organizational affiliation, if any. The Privacy Office will use this information only for purposes of planning this workshop and to contact you in the event of any logistical changes. An agenda and logistical information will be posted on the workshop Web page shortly before the event. A written transcript will be posted on the Web page following the event.

**Special Assistance:** Persons with disabilities who require special assistance should indicate this in their registration request and are encouraged

<sup>1</sup> The Department has submitted three prior reports to the Congress on data mining: The 2008 *Letter Report Pursuant to Section 804 of the Implementing Recommendations of the 9/11 Commission Act of 2007*; the 2007 *Data Mining Report: DHS Privacy Office Response to House Report 109-699* (July 6, 2007) and the *Data Mining Report: DHS Privacy Office Response to House Report 108-774* (July 6, 2006). These reports are available on the DHS Privacy Office Web site at <http://www.dhs.gov/privacy>. The 2008 *Letter Report* provided a preliminary analysis of DHS data mining activities, with the understanding that a comprehensive report would follow. This workshop is intended to provide context for that comprehensive report.

to identify anticipated special needs as early as possible.

Dated: June 20, 2008.

**Hugo Teufel III,**

*Chief Privacy Officer.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

[Docket No. USCG-2008-0035]

#### **Proposed Expansion of the Cove Point Facility, Cove Point, MD: Final Supplemental Environmental Assessment and Finding of No Significant Impact**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of Availability of Final Supplemental Environmental Assessment and Finding of No Significant Impact.

**SUMMARY:** The Coast Guard announces the availability of the Final Supplemental Environmental Assessment (EA) and the Finding of No Significant Impact (FONSI) that evaluated the potential environmental impacts resulting from the proposed issuance of a Letter of Recommendation (LOR) on the suitability of the waterway for the expansion of the Cove Point LNG facility for Dominion Cove Point LNG, LP, in Cove Point, MD.

**ADDRESSES:** Comments and material received from the public as well as documents mentioned in this notice as being available in the docket, are part of the Coast Guard docket number USCG-2008-0035 and are available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, room PL-401, 400 Seventh Street, SW., between 9 a.m. and 5 p.m., Monday through Friday, except for Federal Holidays. You may also find this docket on the internet at <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call Lieutenant Commander Rogers Henderson, Coast Guard, telephone 202-372-1411 or Mr. Ken Smith, Coast Guard, telephone 202-372-1413. If you have any questions on viewing material on the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:** In accordance with the National Environmental Policy Act of 1969 (Section 102(2)(c)), as implemented by the Council of Environmental Quality

regulations (40 CFR parts 1500-1508), the applicant prepared a Final Supplemental EA and the Coast Guard prepared the FONSI for the Proposed Expansion of the Cove Point Facility, Cove Point, MD.

#### **Response to Comments**

The Coast Guard requested comments on the Draft Supplemental EA when the Notice of Availability for the Draft Supplemental EA was published on March 13, 2008 (73 FR 13551). The Coast Guard received nine comments on the draft Supplemental EA.

Two commenters agreed with the Coast Guard that the proposed action will not have a significant impact on the State of Maryland's environment or historic properties.

One commenter stated the current security measures for the facility and during tanker loading/unloading operations are insufficient. The Coast Guard disagrees because the facility is regulated under the Maritime Transportation Security Act (MTSA) of 2002 and as a result must comply with a Coast Guard approved Facility Security Plan. Foreign vessels which make LNG deliveries to the terminal must have a valid International Ship Security Certificate on board attesting to the vessel's compliance with the International Convention for Safety of Life at Sea and the Ship and Port Facility Security (ISPS) Code. The ISPS Code is the foreign equivalent to MTSA requirements. In addition, Cove Point has been receiving LNG shipments and operating in compliance with the safety and security provisions and operating restrictions of the Letter of Recommendation (LOR) issued by the Coast Guard to Cove Point in 2002.

One commenter discussed the applicability of the Sandia 2005 risk assessment to the proposed Expansion Project. The Coast Guard disagrees that this is applicable since the Sandia 2005 assessment referenced by the commenter is apparently the Sandia Report SAND2005-7339: "Review of the Independent Risk Assessment of the Proposed Cabrillo Liquefied Natural Gas Deepwater Port project." This report is not applicable to this proposed project because it addresses a deepwater project with a Floating Storage and Regasification Unit (FSRU), and not the waterway for an LNG terminal. Instead, the applicable Sandia report for Cove Point is the 2004 Sandia Report, SAND2004-6258: "Guidance on Risk Analysis and Safety Implications of a Large Liquefied Natural Gas Spill on Water." This report identifies three "Zones of Concerns". The Sandia 2004 report shows the conservative maximum

hazard distance is defined as Zone 3, which would occur in the unlikely event of a LNG vapor cloud release but would only create a hazard within a distance of about 2.2 miles from the point of the release.

One commenter suggested a major LNG spill would affect the cooling towers of the Calvert Cliffs Nuclear Power Plant. The Coast Guard disagrees with this comment since the plant is well outside the furthest potential impact zone, Zone 3, i.e. the distance of 2.2 miles, per the applicable Sandia report.

One commenter stated that the air pollutants from LNG tankers, marine escorts, and traffic specifically related to LNG were not addressed since the Maryland Department of the Environment covers only stationary equipment. The Coast Guard disagrees with this comment. These air pollutants were addressed in the April 2006 FERC FEIS, Appendix H, "General Conformity Determination for the Proposed Cove Point Expansion Project" which the Supplemental EA adopted. The General Conformity Rule, found in 40 CFR Part 51, Subpart W and 40 CFR Part 93, Subpart B, applies to proposed actions in a nonattainment or maintenance area that are not otherwise regulated under the New Source Review (NSR) programs or Operating Permit Program. Consequently, the General Conformity Rule applies to direct emissions, such as construction and vessel activity emissions, which are not long-term stationary source operations. As part of the General Conformity Determination, LNG ships and tugs emissions were estimated based on roundtrip operation in state waters.

One commenter declared that uncontrolled toxic air pollutants from the proposed project are expected to form toxic particulates matter hazardous to human health. The Coast Guard disagrees with this comment. As the Supplemental EA and FONSI discuss, we found that there will be no significant adverse impact from the toxic air pollutants and disagreed that these pollutants are uncontrolled. These pollutants are subject to the U.S. EPA Clean Air Act's National Emission Standards for Hazardous Air Pollutants (HAP). Under the HAP permitting process, it was established the proposed project's total potential HAP emission rate, 11 tons per year (tpy), was well below the threshold for facilities subject to HAP regulations which is 25 tpy.

One commenter expressed concern regarding the volume of ballast water intake from the increase of LNG tankers resulting in an increase of salinity of the Chesapeake Bay. The Coast Guard