

5917 Junction Boulevard, 13th Floor  
Flushing, NY 11373  
Phone: 718-595-5595  
Fax: 718-595-4021

**City of New York  
Department of  
Environmental Protection**

# Fax

<b>To:</b> Consumer Protection Board	<b>From:</b> Harris Lam
<b>Fax:</b> 518-474-2474	<b>Date:</b> March 28, 2007
<b>Phone:</b>	<b>Pages:</b> 4 (including cover)
<b>Re:</b> NYC DEP Data Breach	<b>CC:</b> [Click here and type name]

Urgent     For Review     Please Comment     Please Reply     Please Recycle

**•Comments:**

Please find attached the Reporting Form and sample notices for a recent data breach incident at City of New York Department of Environmental Protection: Notice 1 for affected individuals in New York State, and Notice 2 for affected individuals outside New York State (except New Jersey, Delaware, New Hampshire, and Maine).

**Reporting Form  
 For Business, Individual or NY State Entity reporting a  
 "Breach of the Security of the System"  
 Pursuant to the Information Security Breach  
 and Notification Act (General Business Law §889-aa;  
 State Technology Law §208)**

Name of Business, Individual or State Entity: **City of New York Department of Environmental Protection**  
 Date of Discovery of Breach: **4 December 2006**  
 Estimated Number of Affected Individuals: **2,108**  
 Date of Notification to Affected Individuals: **26 March 2007 to 28 March 2007 (most)**  
 Manner of Notification:  written notice  
                                    electronic notice (email)  
                                    telephone notice

Are you requesting substitute notice?  Yes  No (If yes, attach justification)

Content of Notification to Affected Individuals: Describe what happened in general terms and what kind of information was involved. Please attach copy of Notice.

**A regular monthly audit determined that a NYC DEP employee was performing data searches outside of normal delinquent customer account analysis. Our investigation has indicated that only social security numbers may have been inappropriately viewed.**

Name of Business or Individual Contact Person: **Harris Lam**  
 Title: **Analyst**  
 Telephone number: **718-595-5599**  
 Email: **lamh@dep.nyc.gov**

Dated: **28 March 2007**  
 Submitted by: **Robert Hernandez**  
 Title: **Director of Collections**  
 Address: **5917 Junction Boulevard, 13<sup>th</sup> Floor, Flushing, NY 11373**  
 Email: **robertc1@dep.nyc.gov**  
 Telephone: **718-595-6689** Fax: **718-595-4021**



Notice 1

## NOTICE OF DATA BREACH

NYC Department of Environmental Protection • Collections Unit • 59-17 Junction Boulevard, Flushing, NY 11373-5108

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March 28, 2007

FIRSTNAME LASTNAME  
 ADDRESS  
 CITY, STATE ZIPCODE

Dear FIRSTNAME LAST NAME:

We are writing to you because of a recent data security incident at the NYC Department of Environmental Protection. As we executed our monthly audits on data searches performed by our employees to contact delinquent customers, we found that one of our employees was performing searches outside of the customer base assigned to him. As the first step in our remediation process, we have terminated this individual's employment effective immediately. We also researched every name that was searched by this employee and determined that your information was inappropriately viewed.

To protect you from the possibility of identity theft, the NYC Department of Environmental Protection recommends that you place a fraud alert on your credit files. A fraud alert lets creditors know to contact you before opening new accounts. Call any one of the three major credit reporting agencies at a number below to place a fraud alert. Once one agency is notified, then that agency automatically notifies the other two.

You will receive letters from all of them, with instructions on how to get a copy of your credit report from each.

Experian  
 888-397-3742  
<http://www.experian.com>

Equifax  
 800-525-6285  
<http://www.equifax.com>

TransUnion  
 800-680-7289  
<http://www.transunion.com>

When you receive your credit reports, please look them over carefully. Look for accounts you did not open. Look for inquiries from creditors that you did not initiate. Also, look for personal information, such as your home address and Social Security number that may not be accurate. If you see anything that you do not understand, call the credit reporting agency at the telephone number on the report.

If you do find suspicious activity on your credit reports, call your local police precinct or sheriff's office and file a police report of identity theft. Also, get a copy of the police report. You may need to give copies of the police report to creditors to clear up your records.

Even if you do not find any signs of fraud on your credit reports, we recommend that you check your credit report every three months for the next year.

For more information on identity theft, we suggest that you visit the Web site of the NY State Consumer Protection Board [www.consumer.state.ny.us](http://www.consumer.state.ny.us).

The NYC Department of Environmental Protection has complied with the New York State Information Security Breach and Notification Act and alerted the New York Attorney General's Office, the New York State Office of Cyber Security and Critical Infrastructure Coordination and the Consumer Protection Board.

If there is anything that the NYC Department of Environmental Protection can do to assist you, please call Harris Lam at (718) 595-5599 or Patrick Hendricks at (718) 595-5582.

Notice 2



## NOTICE OF DATA BREACH

NYC Department of Environmental Protection • Collections Unit • 59-17 Junction Boulevard, Flushing, NY 11373-5108

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March 28, 2007

FIRSTNAME LASTNAME  
ADDRESS  
CITY, STATE ZIPCODE

Dear FIRSTNAME LASTNAME:

We are writing to you because of a recent data security incident at the NYC Department of Environmental Protection. As we executed our monthly audits on data searches performed by our employees to contact delinquent customers, we found that one of our employees was performing searches outside of the customer base assigned to him. As the first step in our remediation process, we have terminated this individual's employment effective immediately. We also researched every name that was searched by this employee and determined that your information was inappropriately viewed.

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You will receive letters from all of them, with instructions on how to get a copy of your credit report from each.

Experian 888-397-3742 <a href="http://www.experian.com">http://www.experian.com</a>	Equifax 800-525-6285 <a href="http://www.equifax.com">http://www.equifax.com</a>	TransUnion 800-680-7289 <a href="http://www.transunion.com">http://www.transunion.com</a>
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Even if you do not find any signs of fraud on your credit reports, we recommend that you check your credit report every three months for the next year.

For more information on identity theft, we suggest that you visit the Web site of the NY State Consumer Protection Board ([www.consumer.state.ny.us](http://www.consumer.state.ny.us)), or your State or local Consumer Protection Agency.

The NYC Department of Environmental Protection has complied with the New York State Information Security Breach and Notification Act and alerted the New York Attorney General's Office, the New York State Office of Cyber Security and Critical Infrastructure Coordination and the Consumer Protection Board.

If there is anything that the NYC Department of Environmental Protection can do to assist you, please call Harris Lam at (718) 591-5599 or Patrick Hendricks at (718) 595-5582.



"Martucci, Joe (CSCIC)"  
<Joe.Martucci@cscic.state.ny.us>

03/30/2007 12:27 PM

To <Lisa.Harris@consumer.state.ny.us>

cc

bcc

Subject NYC DEP Breach Notification

Lisa,

I spoke to the DEP contact on the NYC breach that occurred yesterday and the actual # of NYS residents is 699 with a total of 2112.

Have a great weekend.

Joe

**Joseph Martucci**  
Assistant Counsel  
NYS Office of Cyber Security & Critical Infrastructure Coordination  
30 South Pearl St.  
Albany, NY 12207  
phone (518)474-0865 fax (518)402-3799  
email: [joe.martucci@cscic.state.ny.us](mailto:joe.martucci@cscic.state.ny.us)

*This message may contain confidential information and is intended only for the individual(s) named. If you are not an intended recipient you are not authorized to disseminate, distribute or copy this e-mail. Please notify the sender immediately if you have received this e-mail by mistake and delete this e-mail from your system.*

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Notice  
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3 30 2007