



ARRA REPORT BY THE  
INSPECTOR GENERAL AND STATE BOARD OF ACCOUNTS

2009-12-0261

December 30, 2009

ARRA REVIEW OF IDEM'S CLEAN DIESEL PROGRAM

*Indiana Inspector General Staff Attorney Amanda Schaeffer and State Examiner Bruce Hartman of the Indiana State Board of Accounts report as follows:*

This report addresses an evaluation of the Clean Diesel Program<sup>1</sup> of the Indiana Department of Environmental Management (IDEM).

I

On February 17, 2009, the United States Government enacted the American Recovery and Reinvestment Act<sup>2</sup> (ARRA). The ARRA intends to provide a stimulus to the United States economy by providing \$787 billion in

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<sup>1</sup> <http://www.epa.gov/otaq/diesel/> states that the National Clean Diesel Campaign (NCDC), established by the Environmental Protection Agency, promotes diesel emission reduction strategies. NCDC includes regulatory programs to address new diesel engines as well as innovative programs to address the millions of diesel engines already in use.

<sup>2</sup> 40 USC 1606.

program funding and tax credits.<sup>3</sup>

The purpose of this report is to reflect an initial evaluation of ARRA compliance by the Clean Diesel program.

## II

In 2009, IDEM has been provided \$1,000,000 in ARRA funds for use by September 30, 2010. The funds will be used funding of clean diesel projects using specific technologies aimed at reducing air pollution.

## III

### A

#### Findings

From our initial review, we find that the program controls outlined in the

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<sup>3</sup> Indiana is expected to receive \$4.3 billion in ARRA funds and perhaps more in competitive grant funds. It is the experience of the Office of the Inspector General (OIG) and the State Board of Accounts (SBOA) that the expenditure of government funds may invite fraud and waste. The Office of the Inspector General's (OIG's) enabling statute states that the OIG "is responsible for addressing fraud, waste, abuse and wrongdoing in agencies." IC 4-2-7-2(b). The OIG is also mandated to "recommend policies and carry out other activities designed to deter, detect and eradicate fraud, waste, abuse, mismanagement and misconduct in state government." IC 4-2-7-3(2). These duties include the authority to "initiate, supervise and coordinate" investigations, IC 4-2-7-3(1), to perform audits, IC 4-2-7-2(a), and to "prepare interpretive and educational materials and programs." IC 4-2-7-3(16). Immediately upon the OIG's creation in 2005, the SBOA provided assistance to the OIG. Many of the two agencies' missions are similar. In addition to the above OIG duties, the SBOA is charged to develop and publish "accounting and uniform compliance guidelines manuals" ("Manuals") to provide guidance to public entities, IC 5-11-1-24(a), to perform audits, IC 5-11-1-9, and to make written findings regarding violations of its Manuals or "any law". IC 5-11-5-1(a). Both the SBOA and OIG also review compliance with the Circulars issued by the State Budget Agency issued under the authority of IC 4-12-1-13(h). Following the above authorities and precedent, both the OIG and SBOA have and continue to confer, research and seek education regarding ARRA. Substantial guidance has been provided by the Indiana Office of Management and Budget (OMB).

Clean Diesel program spending plan or other related documentation are adequate to meet the respective federal ARRA and OMB guidelines and requirements.

B

Recommendation

At a later date we will perform additional procedures as deemed necessary to verify compliance requirements. The work papers prepared during review of the Clean Diesel Program will be retained as approved by the Oversight Commission on Public Records.

Dated this 30<sup>th</sup> day of December, 2009.



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David O. Thomas, Inspector General