

FILED



**ETHICS DISCLOSURE STATEMENT
CONFLICTS OF INTEREST -- DECISIONS AND VOTING
State Form 55060 (R / 10-16)
OFFICE OF THE INSPECTOR GENERAL
IC 4-2-6-9**

AUG 29 2024

INDIANA STATE
ETHICS COMMISSION

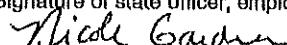
In accordance with IC 4-2-6-9, you must file your disclosure with the State Ethics Commission no later than seven (7) days after the conduct that gives rise to the conflict. You must also include a copy of the notification provided to your agency appointing authority and ethics officer when filing this disclosure. This disclosure will be posted on the Inspector General's website.

Describe the screen established by your ethics officer. (Attach additional pages as needed.)
See attached screening protocol

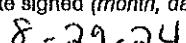
AFFIRMATION

Your signature below affirms that your disclosures on this form are true, complete, and correct to the best of your knowledge and belief. In addition to this form, you have attached a copy of your written disclosure to your agency appointing authority and ethics officer.

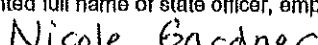
Signature of state officer, employee or special state appointee



Date signed (month, day, year)



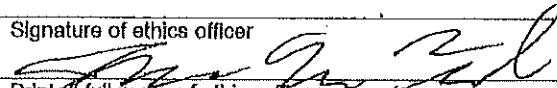
Printed full name of state officer, employee or special state appointee



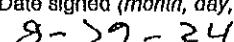
FOR ETHICS OFFICER USE ONLY

Your signature below affirms that you have reviewed this disclosure form and that it is true, complete, and correct to the best of your knowledge and belief. You also attest that your agency has implemented the screen described above.

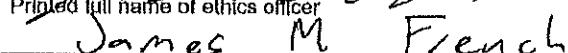
Signature of ethics officer



Date signed (month, day, year)



Printed full name of ethics officer



Protocol to Screen
Indiana Department of Environmental Management's
Office of Water Quality's Nicole Gardner
from Any Matters Regarding Environmental Consulting and Technology, Inc.

Ms. Nicole Gardner is a Technical Environmental Specialist within the Office of Water Quality's (OWQ) Compliance and Enforcement Branch at the Indiana Department of Environmental Management (IDEM). Ms. Gardner's duties include assisting with compliance and enforcement issues with large industrial facilities, drafting industrial National Pollutant Discharge Elimination System (NPDES) permits as needed for the OWQ Permits Branch, and acting as a liaison between the two branches.

On July 19, 2024, Ms. Gardner applied for a Senior Scientist/Engineer position at Environmental Consulting and Technology, Inc (ECT). ECT is a consulting firm that provides consultation to IDEM-regulated entities, with whom Ms. Gardner has interacted in her capacity as a Technical Environmental Specialist at IDEM. Per IC 4-2-6-9, IDEM is instituting the following to ensure Ms. Gardner is screened from any potential conflict of interest with ECT.

1. OWQ Compliance Branch Chief Jason House (BC House) is Ms. Gardner's direct supervisor. BC House will not assign any current or future matter that may arise involving ECT, or any of its clients, to Ms. Gardner.
2. Ms. Gardner shall recuse herself from the portion of any meeting at IDEM in which discussions specific to ECT, or in which any of its clients or interests are discussed or are expected to be discussed.
3. Ms. Gardner shall not discuss any matter involving ECT, or any of its clients, with any other IDEM employee.
4. BC House will notify in writing all employees in his supervisory chain that they are not to discuss any matters involving ECT, or any of its clients, with Ms. Gardner, nor send her any emails concerning ECT.
5. Ms. Gardner shall not participate in decisions regarding or relating to ECT, or any of its clients.
6. Ms. Gardner shall not access any correspondence or files relating to or involving ECT, or any of its clients, either during her hours of work at IDEM or by utilizing State equipment. Such documents, if not a matter of public record in IDEM's Virtual File Cabinet, shall be housed with the employee assigned to the matter or kept where Ms. Gardner does not have access to alter the documents.
7. Ms. Gardner shall immediately inform BC House and IDEM Ethics Officer James French if any provision of this screening protocol is violated.
8. Ms. Gardner shall follow IC 4-2-6-9(b) and file a written disclosure statement with the State Ethics Commission.
9. All signatories to this screening protocol shall review it within thirty (30) days from the date of

the last signature to assure it has been followed and determine if the circumstances have changed to make the protocol no longer necessary.

Nicole Gardner
Nicole Gardner
Technical Environmental Specialist
Office of Water Quality

8-29-24
Date

Jason House
Jason House
Branch Chief
Office of Water Quality

8-29-24
Date

James French
James French
Ethics Officer
Office of Legal Counsel

8-29-24
Date

Ethics Screen for Nicole Gardner

French, James M <JFrench@idem.IN.gov>

Thu 8/29/2024 1:33 PM

To:Rockensuess, Brian <BRockens@idem.IN.gov>

Cc:Gardner, Nicole <ngardner@idem.IN.gov>

 1 attachments (155 KB)

Gardner Screen and Disclosure -ECT.pdf;

Commissioner Rockensuess,

This email serves as notification to the appointing authority per IC 4-2-6-9(b)(2)(D) that OWQ's Nicole Gardner has a potential conflict of interest. Ms. Gardner has applied to work for a consulting firm, Environmental Consulting and Technology, that does business with IDEM regulated entities. Per IC 4-2-6-9, IDEM is instituting the following to ensure Ms. Gardner is screened from any potential conflict of interest with ECT. Ms. Gardner and I have discussed IC 4-2-6-9, and I instructed her to file a written disclosure to the Office of the Inspector General and to implement a screening protocol here at IDEM, see attached. Ms. Gardner's supervisor, Jason House, has been notified of the screening protocol. Please reach out if you have any questions, thanks.

Best,
Michael

James Michael French
Attorney | IDEM
Tel: (317) 234-2170
Email: jfrench@idem.in.gov

PRIVILEGED AND CONFIDENTIAL

The information contained in this email and any attachment(s) is confidential information protected by legal privileges, including but not limited to the attorney-client, work product and/or deliberative process privileges. The information is exempt from disclosure pursuant to IC 5-14-3-4(b)(2) and (6) and other applicable laws. It is only for the use of the named, intended recipient(s), and the privileges are not waived by virtue of this having been sent by e-mail or mistakenly sent to any unintended recipient(s). If the person(s) actually receiving this email or any other reader of the email is not the named, intended recipient(s) or the employee(s) or agent(s) responsible to deliver it to the named, intended recipient(s), any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by e-mail or by phone at (317) 234-2170 and permanently delete all copies of this e-mail.