



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

To: Katherine Noel
Chairperson, Indiana State Ethics Commission

Jennifer Cooper
Ethics Director, Office of the Indiana Inspector General

From: Kathleen Mills
Ethics Officer, Indiana Dept. of Environmental Management

Date: December 19, 2019

Re: Waiver of 42 IAC 1-15-1

INDIANA
STATE ETHICS COMMISSION
DEC 20 2019
FILED

In accordance with 42 IAC 1-5-1(c), as IDEM's Ethics Officer, I am filing this waiver of the application of the gift rule based on the following facts.

Michael Spinar is a Senior Environmental Manager within the Office of Program Support at IDEM's Northwest Regional Office. He is responsible for coordinating two programs on behalf of the State.

- 1) The Lake Michigan Lakewide Action and Management Plan (LAMP) Program, which implements measures to assess, protect, and restore, Lake Michigan and its attendant ecosystem.
- 2) The Grand Calumet River / Indiana Harbor Ship Canal Area of Concern (AOC) Remedial Action Plan (RAP) Program, which implements actions anticipated to result in the removal of 14 beneficial use impairments (BUIs) applicable to the AOC.

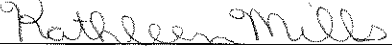
Both programs were originally initiated under the 1987 Amendment of the Great Lakes Water Quality Agreement between the United States and Canada.

Last month, Mr. John Fekete gave Mr. Spinar a paperback book entitled *Evolution of the Great Lakes Water Quality Agreement* by Lee Botts and Paul Muldoon. It is Mr. Spinar's understanding that Mr. Fekete purchased the book for less than \$10.

Mr. Fekete has a business relationship with IDEM. He works with Mr. Spinar and other IDEM staff as a consultant to the RAP Program pursuant to a contractual agreement with IDEM that will expire in March, 2022. Mr. Spinar worked with IDEM staff in drafting the contract. As the RAP Program Consultant, Mr. Fekete assists with planning and chairing meetings of the Citizens Advisory for the Remediation of the Environment (CARE), IDEM's public advisory committee for the AOC; he provides historical information/context to CARE and RAP Program staff; he assists in development and distribution of CARE outreach materials; and he tracks the progress

made toward removal of the 14 BUIs and delisting of the AOC from the list of Great Lakes AOCs.

Acceptance of the gift is consistent with the public interest. The issues Mr. Spinar addresses through the LAMP and RAP programs have developed over many decades. Understanding the origins and historical significance of those environmental issues and the evolution of the Great Lakes Water Quality Agreement that attempts to address those issues, provides Mr. Spinar to with a firm knowledge base for the performance of his position.



Kathleen P. Mills
Chief Ethics Officer
For the Indiana Department of Environmental Management