



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204  
(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

Eric J. Holcomb  
*Governor*

Brian C. Rockensuess  
*Commissioner*

March 20, 2023

Via E-Mail Only:  
Mr. Sean Gorman  
State Ethics Director  
Office of the Inspector General  
315 West Ohio Street, Room 101  
Indianapolis, IN 46202  
[Sgorman@ig.in.gov](mailto:Sgorman@ig.in.gov)

FILED

MAR 20 2023

INDIANA STATE  
ETHICS COMMISSION

RE: Lift of Screening Protocol  
Regarding IDEM employee  
John Guerrettaz

Dear Mr. Gorman:

This letter is to notify you of the intention of the Indiana Department of Environmental Management (“IDEM”) to discontinue the screening protocol instituted on July 27, 2023 regarding IDEM employee John Guerrettaz.

Mr. Guerrettaz and his family have resolved the issue with Duke Energy that triggered the initiation of the above-referenced screening protocol and therefore the protocol is no longer necessary.

Please attach this letter to the public disclosure of the protocol or remove the disclosure from the disclosure list. Thank you for your attention to this matter.

Sincerely

*Kathleen Mills*

Kathleen Mills  
IDEM Chief Ethics Officer



Visit [on.IN.gov/survey](http://on.IN.gov/survey) or scan the QR code to provide feedback.

*We appreciate your input!*





**ETHICS DISCLOSURE STATEMENT**  
**CONFLICTS OF INTEREST – DECISIONS AND VOTING**  
 State Form 55860 (R / 10-15)  
 OFFICE OF THE INSPECTOR GENERAL  
 IC 4-2-6-9

JUL 29 2022

FILED

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.

Name (last) Guerrettaz	Name (first) John	Name (middle) Anthony
Name of office or agency Department of Environmental Management		Job title Geologist Supervisor 3
Address of office (number and street) 1216 West Curry Road		City Greenwood
		ZIP code IN
Office telephone number ( 317 ) 232-8713	Office e-mail address (required) jguerret@idem.in.gov	

Describe the conflict of interest:  
 My family owns a farm outside of Vincennes. Duke Energy needed to replace 8 power poles on our farm in Spring 2022, so they needed access to the poles. We granted access. While accessing the poles, they damaged areas on route to the poles and where they placed the poles. Currently we are in discussions with Duke for Duke to correct the damages. Duke may be in disagreement with some of the damages we have identified. My responsibilities at IDEM include supervising staff geologists who oversee Indiana rules pertaining to geology and groundwater monitoring requirements, which are requirements that Duke facilities must follow by law.

Describe the screen established by your ethics officer: *(Attach additional pages as needed.)*

Area with horizontal dashed lines for describing the screen established by the ethics officer.

**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)

*John Anthony Guerrettaz*  
Printed full name of state officer, employee or special state appointee  
John Anthony Guerrettaz

*7/28/2022*

**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)

*Kathleen Mills*  
Printed full name of ethics officer  
Kathleen Mills

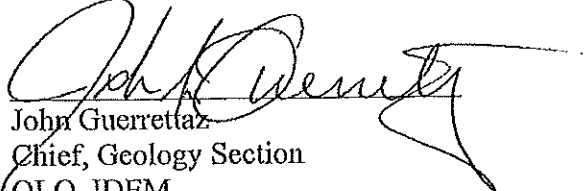
*7/28/2022*

**Protocol**  
**To Screen IDEM Employee John Guerrettaz**  
**From Any Matter Concerning Duke Energy**

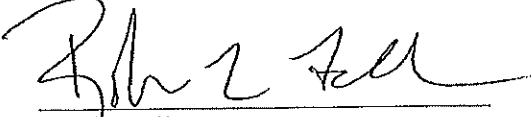
John Guerrettaz is Chief of the Geology Section within the Office of Land Quality ("OLQ") at the Indiana Department of Environmental Management ("IDEM"). Duke Energy ("Duke") is a national power holding company whose operations in Indiana are regulated in part by IDEM. Mr. Guerrettaz supervises geologists that are involved in permitting and compliance activities with respect to geology and groundwater monitoring at various Duke sites across Indiana.

Mr. Guerrettaz and his family have entered into negotiations with a potential for litigation with Duke Energy as a result of damages caused by Duke to the family farm. To prevent the appearance of any decision being made as a result of a financial interest, IDEM has initiated the following protocol during the negotiations/potential litigation.


1. Mr. Guerrettaz shall recuse himself from any current or future matter that may arise involving Duke Energy.
2. Mr. Guerrettaz will not participate in any meeting in which Duke Energy is discussed.
3. Mr. Guerrettaz shall not access any correspondence or files relating to or involving Duke Energy.
4. Mr. Guerrettaz's supervisor, Permits Branch Chief Robin Feller, will notify in writing the employees in Mr. Guerrettaz's section that they are not to discuss any matter involving Duke Energy with Mr. Guerrettaz or send him any emails concerning it.
5. Mr. Guerrettaz's supervisor will assign any matters that may arise in the Geology Section regarding Duke Energy to a staff member other than Mr. Guerrettaz or handle the matter herself.
6. Mr. Guerrettaz shall immediately inform his supervisor and the IDEM Chief Ethics Officer if any provision of this screening protocol is violated.
7. Mr. Guerrettaz shall follow IC 4-2-6-9(b) and file a written disclosure statement with the State Ethics Commission.
8. All signatories to this protocol shall review it within thirty (30) days from the date of the last signature to determine if any revisions are necessary.

  
John Guerretaz  
Chief, Geology Section  
OLQ, IDEM

7/27/2022  
Date

  
Robin Feller  
Chief, Permits Branch  
OLQ, IDEM

7/27/22  
Date

  
Kathleen Mills  
Chief Ethics Officer  
Office of Legal Counsel, IDEM

7/27/22  
Date

## GUERRETTAZ, JOHN

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**From:** Rockensuess, Brian  
**Sent:** Thursday, July 21, 2022 1:44 PM  
**To:** GUERRETTAZ, JOHN; MILLS, KATHLEEN  
**Cc:** Feller, Robin  
**Subject:** RE: Screening Protocol

John,

Thanks for the heads up.

Sincerely,

**BRIAN C. ROCKENSUESS • COMMISSIONER**  
Indiana Department of Environmental Management  
200 N. Senate Ave. • Indianapolis, IN 46204  
**Phone:** (317) 233-2550  
[brockens@idem.in.gov](mailto:brockens@idem.in.gov) • [www.in.gov/idem](http://www.in.gov/idem)



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**From:** GUERRETTAZ, JOHN <JGUERRET@idem.IN.gov>  
**Sent:** Thursday, July 21, 2022 12:49 PM  
**To:** Rockensuess, Brian <BRockens@idem.IN.gov>; MILLS, KATHLEEN <KMILLS@idem.IN.gov>  
**Cc:** Feller, Robin <RFeller@idem.IN.gov>  
**Subject:** Screening Protocol

Hi Brian and Kathy,

I need to implement screening protocol concerning Duke Energy. I supervise geologists that are involved in permitting and compliance activities with respect to geology and groundwater monitoring at various Duke sites across Indiana. My family owns a small farm near Vincennes. We let Duke access the farm to install 8 poles for power lines. They damaged areas. There may be litigation if our family cannot agree with Duke on the damages. I hope matters will be resolved fairly quickly.

Brian, I have spoken with Kathy about the process for putting in place the screening protocol.

If you have questions, let me know.

Thank you.

John A. Guerrettaz, LPG  
Chief  
Geology Section - Permits Branch  
Office of Land Quality



317-232-8713 • [jguerret@idem.IN.gov](mailto:jguerret@idem.IN.gov)

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<https://www.in.gov/idem/waste/>

IDEM values your feedback.

Please take two minutes and complete this brief survey.



*This document reflects the opinions of technical staff based on information presented in the application or document under review. It is intended for use in agency decision making, and it does not contain final determinations regarding compliance with regulations, regulatory interpretation, technical adequacy, permit conditions and requirements, facility design, ground water monitoring, explosive gas monitoring, construction activities, enforcement actions, or potential remedial actions. Information in subsequent technical memos may diverge from information contained in this document based on discovery or receipt of additional relevant information.*