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DEC 27 2024

INDIANA STATE  
ETHICS COMMISSION



**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

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) Rockensuess	Name (first) Brian	Name (middle)	
Name of office or agency Indiana Department of Environmental Management (IDEM)		Job title Commissioner	
Address of office (number and street) 100 N Senate Avenue		City Indianapolis	ZIP code 46204
Office telephone number ( 317 ) 233-6647	Office e-mail address (required) brockens@idem.in.gov		

Describe the conflict of interest:

See attached Conflict of Interest Description

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)

12/27/2024

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

Brian Rockensuess

#### 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)

12/27/2024

Printed full name of ethics officer

James Michael French

## **Conflict of Interest Disclosure for Indiana Department of Environmental Management Commissioner Brian Rockensuess**

### **Description of Potential Conflict of Interest**

Indiana Department of Environmental Management (IDEM) Commissioner Brian Rockensuess has engaged in employment discussions with American Water, a water utility company with whom IDEM has a regulatory relationship; Keramida, Inc., an environmental health and safety consultant firm; and the Indiana Chamber of Commerce—hereinafter referred to collectively as the "Parties." Commissioner Rockensuess' main duty is oversight of the agency and all of its environmental programs. IDEM manages the permitting, compliance, monitoring, and enforcement activities for environmental programs including the Clean Air Act; Clean Water Act; Safe Drinking Water Act; Resource Conservation Recovery Act; and the Comprehensive Environmental Response, Compensation, and Liability Act. As Commissioner, he ensures that all agency regulatory programs are running efficiently and meeting performance goals. One of his duties as Commissioner is to meet and discuss what the agency is doing with stakeholders including: members of the public, industry (including consultants), industry associations, and environmental groups. Commissioner Rockensuess is also the final IDEM signatory for all contracts that meet or exceed \$100,000.00 in consideration.

As detailed in the following section, Commissioner Rockensuess has a potential conflict of interest with Keramida, Inc. regarding his outreach to stakeholders and his contract signatory duties. With respect to American Water and the Indiana Chamber of Commerce, Commissioner Rockensuess does not participate in decisions, votes, or matters pertaining to the Parties in his usual course of business at IDEM. Though IDEM does not assert Commissioner Rockensuess' participation in any of the above to be a conflict of interest, given his authority at IDEM, he is disclosing these potential conflicts of interest and will follow the restrictions set out in the screening protocol contained in this attachment while working at IDEM.

### **Disclosure Information Specific to Keramida**

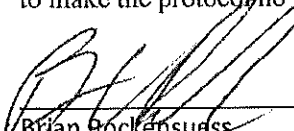
Commissioner Rockensuess has maintained an "open door" policy in regards to meeting with stakeholders to discuss agency plans on specific topics. As a public servant of 16 years, he has made it his goal to engage in those discussions whenever requested. He has met with members of the general public, industry (including consultants such as Keramida), regarding agency activities, potential legislation, and other issues that may impact agency functions or the citizens of the state, in an effort to maintain transparent and open relationships with both the regulated community and any interested parties who may wish to discuss agency functions. Commissioner Rockensuess is disclosing these purely out of an abundance of caution and neither he, nor IDEM asserts the above to be a conflict of interest or violation of the post-employment restrictions.

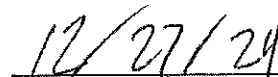
IDEM has multiple contracts with Keramida and, as agency head, Commissioner Rockensuess has been "in a position to make a discretionary decision affecting the outcome of the negotiation and nature of the administration" regarding those agreements. While IDEM acknowledges that Commissioner Rockensuess is in such a position, IDEM asserts that Commissioner Rockensuess has been neither personally nor substantially "engaged in the negotiation or administration of one

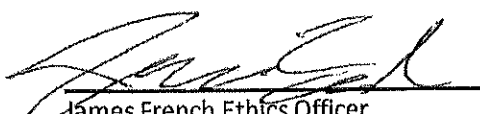
or more contracts with [Keramida] on behalf of the State or IDEM." The actual activity relating to the determination of whether to enter into a contract is dealt with by the IDEM Office of the Chief of Staff, Finance Division. The signature of the Commissioner is the final required step necessary to move the contracting process along, and only when the agreement meets or exceeds \$100,000.00 in consideration. Further, these agreements are for services tangential to the core, regulatory directives of IDEM. These contracts involve maintenance activities such as lawn mowing and fence repair on sites where IDEM is performing remedial activities. For purposes of transparency, Commissioner Rockensuess will, in order to timely move forward with employment discussions, file a post-employment waiver and seek approval for the waiver from the State Ethics Commission.

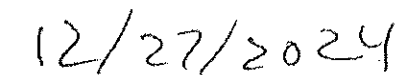
**Protocol to Screen the Indiana Department of Environmental Management's  
Commissioner Brian Rockensuess  
from Any Matters Regarding American Water, the Indiana Chamber of Commerce, and  
Keramida, Inc.**

1. Commissioner Brian Rockensuess shall not participate in any matters in which any of the Parties has a financial interest. If any matters should arise pertaining to any of the Parties, Commissioner Rockensuess shall immediately assign the matter to either IDEM Chief of Staff Parvonay Stover, or an employee with sufficient expertise, experience, and/or authority.
2. Commissioner Rockensuess shall recuse himself from any meeting, or from the portion of any meeting, at IDEM in which discussions specific to the Parties, or in which any of their clients or interests are discussed or are expected to be discussed.
3. Commissioner Rockensuess shall not discuss any matter involving the Parties, or any of their clients or interests, with any other IDEM employee, except to give effect to this screen.
4. As Commissioner Rockensuess does not have a direct supervisor, he will notify in writing all employees directly reporting to him that they are not to discuss with him any matters involving the Parties, or any of their clients, nor send him any emails concerning the Parties, except to give effect to this screen.
5. Commissioner Rockensuess shall not participate in decisions regarding or relating to the Parties, or any of their clients or interests.
6. Commissioner Rockensuess shall not access any correspondence or files relating to or involving the Parties, or any of their clients or interests, either during his 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 Commissioner Rockensuess does not have access to alter the documents.
7. Commissioner Rockensuess shall immediately inform IDEM Ethics Officer James French if any provision of this screening protocol is violated.
8. All signatories to this screening protocol shall review it within thirty (30) days from the date of the last signature to ensure it has been followed and determine if the circumstances have changed to make the protocol no longer necessary.

  
\_\_\_\_\_  
Brian Rockensuess  
Commissioner of IDEM

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
James French Ethics Officer  
Office of Legal Counsel

  
\_\_\_\_\_  
Date



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Disclosure, Screen, and Draft Notice to Appointing Authority

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From Rockensuess, Brian <BRockens@idem.IN.gov>

Date Fri 12/27/2024 3:04 PM

To Goode, Earl <EGoode@gov.IN.gov>

Cc Jankowski, Jane <JJankowski@gov.IN.gov>; Heerens, Joe <JHeerens@gov.IN.gov>; French, James M <JFrench@idem.IN.gov>; KING, NANCY <NKing@idem.IN.gov>

 1 attachment (1 MB)

Disclosure and Screen for Brian Rockensuess '24.pdf;

Mr. Goode,

This email serves as notification to the appointing authority per IC 4-2-6-9(b)(2)(D) that IDEM Commissioner Brian Rockensuess has a potential conflict of interest. Commissioner Rockensuess has engaged in employment discussions for legislative lobbyist roles with both the Indiana Chamber of Commerce and with American Water, a water utility company with whom IDEM has a regulatory relationship, as well as for the position of President of Keramida, Inc., an environmental health and safety consultant firm. Per IC 4-2-6-9, IDEM is instituting the following to ensure Commissioner Rockensuess is screened from any potential conflict of interest with any of these parties. Commissioner Rockensuess and I have discussed IC 4-2-6-9; he will file a written disclosure to the Office of the Inspector General and we will implement a screening protocol at IDEM, see attached. 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](mailto:jfrench@idem.in.gov)

Sincerely,

**BRIAN C. ROCKENSUESS • COMMISSIONER**  
Indiana Department of Environmental Management  
100 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)



**IN INDIANA**