

**INDIANA
STATE ETHICS COMMISSION**

OCT 18 2017

FILED



**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 <i>(last)</i> Gaughan	Name <i>(first)</i> Kevin	Name <i>(middle)</i> R
Name of office or agency Indiana Department of Environmental Management		Job title Field Inspector
Address of office <i>(number and street)</i> 330. W US 30		City Valparaiso
		ZIP code 46383
Office telephone number (219) 464-0233	Office e-mail address <i>(required)</i> KGAUGHAN@IDEM.IN.GOV	

Describe the conflict of interest:
I have recently applied for a position at Indiana American Water. As the drinking water inspector for the territory that the facility is located in my application may qualify as a conflict of interest. It should be noted that I am not the primary inspector for this facility, but I was present at the most recent inspection. I was on site in an observatory role for the treatment facility, and as a more active participant in the distribution system. The final inspection notice was signed by a different inspector.

Beyond the one formal inspection I have served as a point of contact for Indiana American Water to verify if their officials were interpreting 327 IAC correctly when making chlorine adjustments, and sampling schedules. On several occasions a customer of Indiana American Water has contacted me directly with a complaint, and it was necessary for me to contact officials at Indiana American Water to let them know of the potential problem.

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

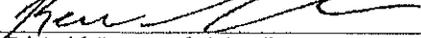
The signed screening protocol is attached with this document.

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)



10/18/17

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

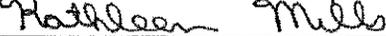
Kevin Gaughan

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)



10/18/17

Printed full name of ethics officer

Kathleen Mills

Protocol
to Screen IDEM Employee Kevin Gaughan
from Any Matters Regarding Indiana American Water

Mr. Kevin Gaughan is an Environmental Manager 2 within the Field Inspection Section of the Drinking Water Branch in the Office of Water Quality (OWQ) at the Indiana Department of Environmental Management (IDEM). He is employed in IDEM's northwest office and has contact with public water supplies in Lake, Porter, LaPorte, and Starke counties. His responsibilities include conducting three (3) and five (5) year sanitary survey inspections of the public water supplies. He also provides technical assistance to those entities as well as address customer complaints and conduct on-site level 2 assessments for community water supplies.

Recently, Mr. Gaughan applied on-line for a position as "Supervisor of Water Quality and Environmental Compliance" with Indiana American Water. This position will preside over the Gary Indiana water treatment facility. The duties for the position are to include assisting local, State and Federal regulatory agencies during inspections; responding to on-call water quality problems; advising management of appropriate corrective actions; responding to customer complaints or inquiries and assisting in the procurement and management of treatment chemicals.

Mr. Gaughan is currently the drinking water inspector for the Indiana American Water facility. He is not the primary inspector for the facility. He contacted IDEM Ethic's Officer, Kathleen Mills, to implement the following protocol to screen him from any current and future matters regarding the company in order to prevent even a potential conflict of interest.

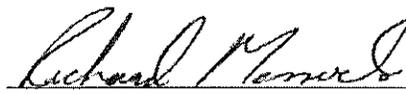
- 1 One of Mr. Gaughan's supervisors, Deputy Director for the Northwest Office, Richard Massoels, will immediately remove Mr. Gaughan from attending any site visits/inspections regarding Indiana American Water.
- 2 Mr. Massoels will contact IDEM's office in Indianapolis and instruct Mr. Gaughan's other supervisors to not assign any matters concerning Indiana American Water to Mr. Gaughan. All matters concerning Indiana American Water will be assigned to another employee.
- 3 Mr. Gaughan shall recuse himself from the portion of any meeting in which discussions specific to Indiana American Water are discussed or are expected to be discussed.
- 4 Mr. Gaughan shall not discuss any matter involving Indiana American Water with any IDEM employee.
- 5 Mr. Massoels, will notify the employees in the IDEM northwest office in writing that they are not to discuss any matter involving Indiana American Water with Mr. Gaughan or send him any emails concerning the company or its facilities.

6. Mr. Gaughan shall not access any correspondence or files relating to or involving Indiana American Water. Such documents shall be housed in the office of the employee assigned to the matter or kept where Mr. Gaughan does not have access to alter the documents.
7. Mr. Gaughan shall not participate in decisions regarding or relating to Indiana American Water.
8. Mr. Gaughan shall immediately inform his supervisor Mr. Massoels and the IDEM Ethics Officer if any provision of this screening protocol is violated.
9. Mr. Gaughan shall follow IC 4-2-6-9(b) and file a written disclosure statement with the State Ethics Commission. He shall also either seek a waiver from the IDEM Commissioner and approval from the State Ethics Commission or a determination from the Commission that a waiver is not necessary.



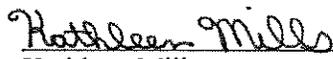
Kevin Gaughan
Environmental Manager II
Field Inspection Section
Drinking Water Branch
Office of Water Quality

10/18/17
Date



Richard Massoels
Deputy Director
IDEM Northwest Office

10/18/17
Date



Kathleen Mills
Ethics Officer
Office of Legal Counsel

10/18/17
Date

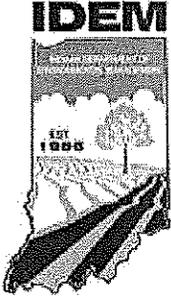
Croft, Celeste

From: Gaughan, Kevin R
Sent: Wednesday, October 18, 2017 2:24 PM
To: PIGOTT, BRUNO
Cc: MILLS, KATHLEEN
Subject: Kevin Gaughan (NWRO) - Application disclosure

Commissioner Pigott,

I'm writing to you to let you know that I have applied for an open position at Indiana American Water – Northwest. Because of my position as drinking water inspector and under 42 IAC 1-5-6 a possible conflict of interest may arise. I've already spoken with Kathy Mills and have set up an approved screening protocol.

Thank you,



Kevin R. Gaughan
Drinking Water Branch-Field Inspections Section
Indiana Department of Environmental Management
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Valparaiso, IN 46385
Ph. (219) 713-3428
Fax (219) 464-0553
Kgaughan@idem.in.gov