

INDIANA
STATE ETHICS COMMISSION

SEP 29 2017



**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

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 <i>(last)</i> Nance	Name <i>(first)</i> Mark	Name <i>(middle)</i> Alan
Name of office or agency IDEM		Job title Environmental Manager 2
Address of office <i>(number and street)</i> 100 North Senate Ave, N1101		City Indianapolis
		ZIP code 46204-2251
Office telephone number (317) 233-7089	Office e-mail address <i>(required)</i> MNance@idem.IN.gov	

Describe the conflict of interest:

I have identified the following conflict of interest during my course of work as an EM2 at IDEM. I was recently assigned project management oversight of the Plymouth Tube Company (PTC) Site (VRP #6051202). During my review of documents concerning the PTC Site on the Virtual File Cabinet (VFC), it came to my attention that Wilcox Environmental Engineering, Inc. (WEEI) currently provides environmental consulting services for the PTC Site. My half-brother, Mr. James H. Nance, serves as Senior Vice President of WEEI and could have a financial interest in the decisions that I make at IDEM. Upon identifying this potential conflict of interest, I notified Mr. Bill Holland, SEM and Mr. Bruce Oertel, RSB Chief. Furthermore, I have recused myself from further project management oversight of the PTC Site and will not conduct project management oversight of an other site for which Wilcox is a consultant.

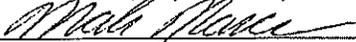
Describe the screen established by your ethics officer: *(Attach additional pages as needed.)*

1. Mr. Bruce Oertel, and/or Mr. Holland shall reassign all Wilcox Environmental Engineering matters currently assigned to Mr. Nance to another employee within the VRP Section.
2. Mr Oertel and/or Mr. Holland will not assign any new matter regarding WEEI to Mr. Nance.
3. When a new supervisor is hired for the VRP Section supervisory position, that individual will be required to follow this protocol.
4. Mr. Nance shall recuse himself from the portion of any meeting in which discussions specific to WEEI or any of WEEI clients begin or are expected.
5. Mr. Nance shall not discuss any matter involving WEEI or any of WEEI clients with any IDEM employee.
6. Mr Oertel and/or Mr. Holland will notify the employees in the VRP Section in writing that they are not to discuss any matter involving WEEI or WEEI clients with Mr. Nance or send him any emails concerning WEEI or any of WEEI clients.
7. Mr. Nance shall not have access to any correspondence or files relating to WEEI or WEEI clients except those contained in IDEM's Virtual File Cabinet ("VFC"). All other documents shall be housed in the office of the employee assigned to the matter or kept in a locked file cabinet for which Mr. Nance does not have access.
8. Mr. Nance shall not participate in decisions regarding or relating to WEEI or WEEI clients.
9. Mr. Nance shall immediately inform his supervisor, or intermediate supervisor or IDEM Ethics Officer Kathleen Mills if any provision of this screening protocol is inadvertently violated.
10. Mr. Nance shall follow IC §4-2-6-9(b) and either seek an advisory opinion from the State Ethics Commission or file a written disclosure statement with the Commission.
11. Mr. Nance, Mr. Nance's supervisor and Ethics Officer Mills shall review this screening protocol with 60 days from the date of the last signature to assure this protocol has been followed.

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)

09/29/2017

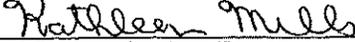
Printed full name of state officer, employee or special state appointee

Mark Alan Nance

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)

9/29/2017

Printed full name of ethics officer

Kathleen Mills

**Protocol
to Screen IDEM Employee Mark Nance
from Any Matters Regarding
Wilcox Environmental Engineering Inc.**

The Indiana Department of Environmental Management ("IDEM") institutes this protocol based on the following set of facts.

Mr. Mark Nance recently joined the IDEM as an EM2 in the Voluntary Remediation Program ("VRP") Section of the Remediation Services Branch within the Office of Land Quality ("OLQ"). One of Mr. Nance's job duties is to review reports from consulting firms representing responsible parties in the VRP and suggest direction of possible assessment/investigation of potentially contaminated sites.

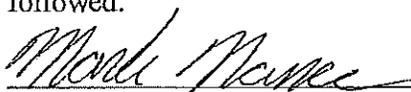
The Section Chief position in the VRP section is currently vacant. Therefore, Mr. Nance's intermediate supervisor, Branch Chief Bruce Oertel, has temporarily delegated Mr. Bill Holland to assign some matters to Mr. Nance.

Mr. Holland recently assigned project management oversight of the Plymouth Tube Co. site ("PTC") VRP # 6051202 to Mr. Nance. During his review of documents about the site, Mr. Nance discovered that the consultant for PTC was Wilcox Environmental Engineering, Inc. ("WEEI"). Mr. Nance has a half-brother, James H. Nance, who serves as Senior Vice President of that company.

Because his half-brother could have a financial interest in decisions Mr. Nance makes at IDEM, IDEM shall implement the following procedures to screen the employee from any matter that may arise regarding Wilcox Environmental Engineering, Inc.

1. Mr. Bruce Oertel, and/or Mr. Holland shall reassign all Wilcox Environmental Engineering matters currently assigned to Mr. Nance to another employee within the VRP Section.
2. Mr Oertel and/or Mr. Holland will not assign any new matter regarding WEEI to Mr. Nance.
3. When a new supervisor is hired for the VRP Section supervisory position, that individual will be required to follow this protocol.
4. Mr. Nance shall recuse himself from the portion of any meeting in which discussions specific to WEEI or any of WEEI clients begin or are expected.
5. Mr. Nance shall not discuss any matter involving WEEI or any of WEEI clients with any IDEM employee.

6. Mr Oertel and/or Mr. Holland will notify the employees in the VRP Section in writing that they are not to discuss any matter involving WEEI or WEEI clients with Mr. Nance or send him any emails concerning WEEI or any of WEEI clients.
7. Mr. Nance shall not have access to any correspondence or files relating to WEEI or WEEI clients except those documents contained in IDEM's Virtual File Cabinet ("VFC"). All other documents shall be housed in the office of the employee assigned to the matter or kept in a locked file cabinet for which Mr. Nance does not have access.
8. Mr. Nance shall not participate in decisions regarding or relating to WEEI or WEEI clients.
9. Mr. Nance shall immediately inform his supervisor, or intermediate supervisor or IDEM Ethics Officer Kathleen Mills if any provision of this screening protocol is inadvertently violated.
10. Mr. Nance shall follow IC §4-2-6-9(b) and either seek an advisory opinion from the State Ethics Commission or file a written disclosure statement with the Commission.
11. Mr. Nance, Mr. Nance's supervisor and Ethics Officer Mills shall review this screening protocol with 60 days from the date of the last signature to assure this protocol has been followed.



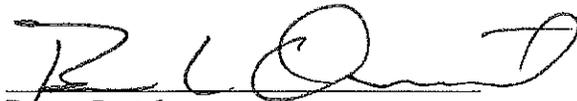
Mark Nance
Environmental Manager 2
Voluntary Remediation Program

9-29-17
Date



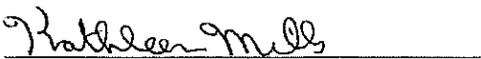
Bill Holland
Senior Environmental Manager 1
Voluntary Remediation Program

9-29-17
Date



Bruce Oertel
Branch Chief
Remediation Services OLQ

9-28-17
Date



Kathleen Mills
IDEM Ethics Officer

9-28-17
Date

Nance, Mark

From: Nance, Mark
Sent: Monday, September 25, 2017 3:01 PM
To: HOLLAND, BILL; OERTEL, BRUCE
Cc: Mccann, Michael
Subject: Ethics Question Regarding VRP #6051202 (Plymouth Tube Company)

Good Afternoon,

I have been assigned project management oversight of VRP #6051202 (Plymouth Tube Company). The consultant for this site is Wilcox Environmental Engineering, Inc. My half-brother, James Nance, has been recently appointed Senior Vice President of Wilcox. I have not spoken to my half-brother since he took this position. Does this scenario present a conflict of interest?

Thank you,



Mark A. Nance
Environmental Manager
Voluntary Remediation Program
Remediation Services Branch
MNance@idem.IN.gov | (317) 233-7089

Office of Land Quality
Indiana Department of Environmental Management

Nance, Mark

From: Nance, Mark
Sent: Wednesday, September 27, 2017 11:18 AM
To: PIGOTT, BRUNO; MILLS, KATHLEEN
Subject: Potential Conflict of Interest Statement - Mark Nance

Good Morning,

This email serves as notice of a potential conflict of interest that I have identified during my course of work as an EM2 in the OLQ, RSB, VRP Section. I was recently assigned project management oversight of the Plymouth Tube Company (PTC) Site (VRP #6051202). During my review of documents concerning the PTC Site on the Virtual File Cabinet (VFC), it came to my attention that Wilcox Environmental Engineering, Inc. (Wilcox) currently provides environmental consulting services for the PTC Site. My half-brother, Mr. James H. Nance, serves as Senior Vice President of Wilcox. Upon identifying this potential conflict of interest, I notified Mr. Bill Holland, SEM in OLQ, RSB, VRP Section & Mr. Bruce Oertel, RSB Chief. Furthermore, I have recused myself from further project management oversight of the PTC Site and will not conduct project management oversight of any other site for which Wilcox is a consultant.

Thank you for your attention to this matter,



Mark A. Nance
Environmental Manager
Voluntary Remediation Program
Remediation Services Branch
MNance@idem.IN.gov | (317) 233-7089

Office of Land Quality
Indiana Department of Environmental Management

Croft, Celeste

From: Nance, Mark
Sent: Friday, September 29, 2017 8:51 AM
To: IG Info
Subject: Conflict of Interest – Decisions and Voting - Email Scanned Copies
Attachments: Mark_Nance_AA_Notification.pdf; Mark_Nance_Screening_Protocol_IDEM.pdf;
Mark_Nance_Ethics_Disclosure_IDEM.pdf

To whom it may concern:

Please see the attached Conflict of Interest – Decisions and Voting Disclosure Statement, Protocol to Screen, and Written Notifications to Assigning Authorities for your review.

Thank you for your attention to this matter,



Mark A. Nance
Environmental Manager
Voluntary Remediation Program
Remediation Services Branch
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Office of Land Quality
Indiana Department of Environmental Management