

WASHINGTON SUBURBAN SANITARY COMMISSION
BOARD OF ETHICS
2010 ANNUAL REPORT

Members:

Steven J. Hausman, Chair

Robert J. Moore

George E. Pruden, II

Rachel B. Brown, Alternate Member

Washington Suburban Sanitary Commission Calendar Year 2010 Annual Ethics Report

This report covers conflicts of interest and lobbyist registration and reporting matters that were addressed by the Washington Suburban Sanitary Commission (WSSC) Board of Ethics during calendar year 2010.

The current WSSC Board of Ethics members are Steven J. Hausman (Montgomery County), Robert J. Moore (Prince George's County), George E. Pruden, II, (Prince George's County), and Rachel B. Brown, Alternate Member, (Montgomery County). On March 17, 2010, Mr. Steven J. Hausman, was reappointed for a second three-year term and was also appointed as Chair. The Board of Ethics convened twelve times during 2010 to consider and review requests for advisory opinions, complaints, and other matters. During the year, the Board of Ethics issued three (3) Advisory Opinions on conflicts of interest topics and two (2) decisions on Requests for Waivers. Attached is a summary of each Advisory Opinion, Complaint, and Waiver (Appendix A).

The Board of Ethics web site <http://www.wsscwater.com/home/jsp/content/ethics-index.faces> contains the WSSC Code of Ethics, Lobbyist registration information, Advisory Opinions and Waivers issued as well as the Board of Ethics Rules and Procedures.

The WSSC Code of Ethics requires an individual to register as a lobbyist if s/he is compensated to influence executive or administrative actions by the WSSC. Attached is a summary of the Lobbyist Expenditures as reported on the WSSC Lobbyist Activity Report (Appendix B).

The WSSC Code of Ethics also requires certain employees to file annual financial disclosure forms. State law requires that the content of WSSC's financial disclosure regulations be "substantially similar" to the State.

Finally, we would like to highlight a few activities that have occurred during CY 2010. During CY 2010 an electronic filing system for Conflicts of Interest Forms was developed and instituted. On April 21, 2010, the Washington Suburban Sanitary Commission (WSSC) adopted a Fraud, Waste, and Abuse Hotline Policy. This Policy established procedures for WSSC employees and other customers/stakeholders of the Washington Suburban Sanitary District (WSSD) to report suspected occurrences of fraud, waste, and abuse without fear of retaliation. Also adopted were the accompanying Operations Manual and Investigation Guidelines used to implement the Policy. The WSSC is currently working on a Fraud, Waste, and Abuse Hotline Policy brochure, which will be an easy to read and understand guide for our stakeholders.

With regard to training, all employees completed the Annual On-line Ethics Challenge in May 2010. Finally, on December 13, 2010, the WSSC hired its first Ethics Officer. The Ethics Officer is responsible for directing and managing the comprehensive ethics program of the WSSC and all related program components and processes, including program compliance.

**CY 2010
BOARD OF ETHICS
ADVISORY OPINION REQUESTS**

Advisory Opinion #	Date Received	Request	Regulation Involved	Status/Final Determination
A-10-01	01/06/10	Whether the Code of Ethics prohibits WSSC from soliciting sponsorships for a calendar to be distributed to WSSC customers and also to help defray costs from a WSSC sponsored community festival.	Code of Ethics § 3-6	Advisory opinion issued on 03/11/10 and posted to the WSSC website
A-10-02	01/08/10	Request for guidance on steps to take to ensure that a WSSC Senior Plumbing Inspector does not inspect work performed by his son, a member of a local plumber's union.	Code of Ethics § 3-1	Advisory opinion issued on 04/08/10 and posted to the WSSC website
A-10-03	04/21/10	Whether the Code of Ethics prohibits an Architectural/Engineering (A/E) firm that prepares "bridging documents" for a facility upgrade design plan from bidding on the Design/Build phase of the contract.	Code of Ethics § 4-4	Advisory opinion issued on 07/08/10 and posted to the WSSC website

**CY 2010
BOARD OF ETHICS
COMPLAINTS**

Complaint #	Date Received	Request	Regulation Involved	Status/Final Determination
C-09-03	05/21/09	Allegation that a WSSC employee is steering contract opportunities.	Code of Ethics § 4-2	Pending*
C-09-04	08/19/09	Anonymous Complaint alleging that a WSSC employee was utilizing a WSSC vehicle to transport WSSC scrap material to his home for personal use.	Code of Ethics § 3-4	Dismissed on 05/13/10
C-10-01	02/12/10	Article 4 § 4-4 Alleging that four individuals violated the WSSC's Code of Ethics.	Code of Ethics § 4-4	Dismissed on 04/08/10

*Closed March 10, 2011

**CY 2010
BOARD OF ETHICS
WAIVER REQUESTS**

Waiver #	Date Received	Request	Regulation Involved	Status/Final Determination
W-10-01	01/08/10	Article 3, Conflicts of Interest Employee charged with the duty of inspecting a hospital for compliance with various environmental laws requests waiver of the Code of Ethics provision that would prohibit the employee from inspecting the hospital where the employee's wife is employed.	Code of Ethics Section 3-1(a)	Waiver granted on 02/24/10 and posted on the website.
W-10-02	07/20/10	Article 3-7, Conflicts of Interest Statement Employee request for a waiver of the Code of Ethics provision requiring the completion an annual Conflict of Interest statement	Code of Ethics Section 3-7	Waiver denied on 09/01/10

CY 2010

Appendix B

**LOBBYIST EXPENSES FOR EACH COMPANY
AS REPORTED ON THE WSSC LOBBYIST ACTIVITY REPORT**

	LOBBYIST	COMPANY	DATE OF REGISTRATION	REPORTING PERIOD		Total
				1/01/10 thru 6/30/10	7/01/10 thru 12/31/10	
1	L. Hoover	Apartment & Office Bldg. Assoc. of Metropolitan Wash.	11/12/2003	\$6,472.77	\$6,649.17	\$13,121.94
2	N. Greenbaum	The Artery Group/Cancellation of SEPs	7/30/2004	\$4,094.50	\$0.00	\$4,094.50
3	N. Greenbaum	Bethel Deliverance Outreach Ministries, Inc.	1/16/2007	\$0.00	\$0.00	\$0.00
4	N. Greenbaum	Kyle Drefke	9/18/2009	\$270.00	\$680.00	\$950.00
5	N. Greenbaum	Dr. Lee/Dr. Butman	11/20/2008	\$0.00	\$0.00	\$0.00
6	N. Greenbaum	Forest City	7/16/2007	\$0.00	\$0.00	\$0.00
7	N. Greenbaum	Gelman Management Company	10/20/2008	\$0.00	\$0.00	\$0.00
8	N. Greenbaum	LCOR White /Flint	3/6/2008	\$303.75	\$4,556.24	\$4,859.99
9	N. Greenbaum	Natelli Communities	12/2/2003	\$0.00	\$0.00	\$0.00
10	N. Greenbaum	NNP II - Clarksburg LLC	8/15/2008	\$4,353.75	\$2,936.25	\$7,290.00
11	N. Greenbaum	Patriot Group: Wheaton Safeway	1/25/2010	\$0.00	\$0.00	\$0.00
12	N. Greenbaum	Utility Finding LLC	12/2/2008	\$0.00	\$0.00	\$0.00
13	K. Maloney	Calgon Carbon	9/20/2006	\$0.00	\$0.00	\$0.00
14	S. Sidh	M. Luis Construction	5/13/2009	\$4,500.00	\$9,500.00	\$14,000.00
	David Carroll	" "	"	\$4,500.00	\$9,500.00	\$14,000.00
	Robert Johnson	" "	"	\$4,500.00	\$9,500.00	\$14,000.00
	Erin Appel	M. Luis Construction	5/13/2009	<u>\$1,500.00</u>	<u>\$1,500.00</u>	<u>\$3,000.00</u>
				<u>\$30,494.77</u>	<u>\$44,821.66</u>	<u>\$75,316.43</u>

**LOBBYIST REGISTERED WITH WSSC WHO DID NOT
FILE REPORTS IN CY 2010**

Total Compensation and Expenses

	LOBBYISTS	COMPANY	DATE OF REGISTRATION
1	N. Greenbaum	Miller and Smith	11/18/2003
2	N. Greenbaum	The Artery Group - Crabbs Branch Way	8/10/2006

bcc: Associate Counsel, (H. Ashbury)
Board of Ethics Members
Ethics Office File