



Michael R. Pence
Governor

William C. VanNess II, MD
State Health Commissioner

CERTIFIED MAIL

October 9, 2013

Sam Noble
Alpha Sno
1215 N. Forest Ave.
Muncie, IN 47304

Mr. Noble:

On May 17, 2013, this office received a request for a variance from the requirements in section 375 of 410 IAC 7-24, "Retail Food Establishment Sanitation Requirements," relating to the disposal of waste water. A letter requesting more information was sent to the above address via certified U.S. Mail on June 18, 2013. Since there has been no response to the letter and the submitted variance request application has incomplete information, the request for this variance is hereby denied.

If you wish to request an administrative review or stay of effectiveness of this decision pursuant to Ind. Code §40-21.5-3-7(a), you must petition for such review in writing. The petition must state facts demonstrating that:

- a. you are a person to whom the decision is specifically directed;
- b. you are aggrieved or adversely affected by the decision; or,
- c. you are entitled to review under any law.

Your request for review or stay of effectiveness must be filed in writing with the State Health Commissioner, 2 North Meridian Street, Indianapolis, Indiana 46204, on or before October 26, 2013. If no request for review or stay of effectiveness is filed by October 26, 2013, this decision shall become final.

DATED AT INDIANAPOLIS, INDIANA THIS 9TH DAY OF OCTOBER 2013.



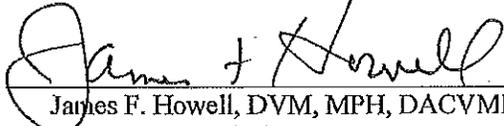
2 North Meridian Street - Indianapolis, IN 46204
317.233.1325 tdd 317.233.5577
www.statehealth.in.gov

To promote and provide
essential public health services.

PURSUANT TO IC 16-19-3-4.3 AND IC 16-42-5-5.2, I HEREBY DENY A VARIANCE OF FOOD PROTECTION RULES AS STATED ABOVE.

WILLIAM C. VAN NESS II, M.D.
STATE HEALTH COMMISSIONER

By:



James F. Howell, DVM, MPH, DACVMP
Assistant Commissioner
Public Health and Preparedness Commission

cc: ISDH Executive Board
ISDH Food Protection Staff
ISDH Office of Legal Affairs
Delaware County Health Department