



Michael R. Pence
Governor

William C. VanNess II, MD
State Health Commissioner

CERTIFIED MAIL #7002-2410-0000-1701-6418

IN RE THE MATTER OF:

Stacy Blanton, Retail Director
Chartwells IUPUI
420 University Boulevard, Suite 120
Indianapolis, IN 46202

RE: Variance Request # 692014

Order to Approve a Variance

You are hereby notified that based on the recommendation of the Indiana State Department of Health (ISDH), Food Protection Program, and as authorized by Indiana Code (IC) 16-19-3-4.3 and IC 16-42-5-5.2, the State Health Commissioner hereby orders that a variance be issued to Stacy Blanton, Retail Director, Chartwells IUPUI, 420 University Boulevard, Suite 120, Indianapolis, IN 46202.

On April 24, 2014, this office received a request from Stacy Blanton, Retail Director, Chartwells IUPUI to vary sections 322 and 375 of 410 IAC 7-24, "Retail Food Establishment Sanitation Requirements," relating to operating a retail food establishment while using water/waste tanks.

Order

This **VARIANCE APPROVAL** is based on the following criteria:

- The operating area of this unit shall be limited to the following location:

902 W. New York Street, 2nd floor corridor, IUPUI Campus, Indianapolis, IN in Marion County.
- Each water/waste tank shall be filled/emptied at least once each day as follows:
 - 1.) Water Tank: to be filled at the commissary/servicing area at 420 University Boulevard, Indianapolis or other nearby source of potable drinking water; and
 - 2.) Waste Tank: to be emptied at the mop sink in the same building where the unit is located.



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To promote and provide
essential public health services.

- Failure to fill/empty waste/water tanks daily as reflected in the SOP form in Attachment A shall be a basis for voiding this variance.
- Warewashing may occur at the same commissary/servicing area. The warewashing shall occur at any time an additional supply is needed of clean utensils.
- The water/waste tanks used shall be only those pictured in Attachment B.
- The menu items sold at this location shall be pre-packaged, except for coffee.
- This variance becomes void if there ceases to be a written agreement with either of the establishments functioning as servicing areas for the unit while in operation at the above named location.
- Electronic or paper copies of this variance approval shall be made available to regulatory personnel during inspections, and otherwise, upon request.
- Chartwells IUPUI agrees to allow copying and/or transmittal of submitted proprietary and/or copyrighted material for regulatory purposes.
- All other provisions provided in law shall be complied with at all times.
- Any provisions not adhered to may result in the revocation of this order.

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 and addressed to:

**Indiana State Department of Health
Attn: Court Administrator
Office of Legal Affairs
2 North Meridian Street, Section 3H
Indianapolis, Indiana 46204**

on or before July 30, 2014. If no request for review or stay of effectiveness is filed by July 30, 2014, this decision shall become final.

DATED AT INDIANAPOLIS, INDIANA THIS 11th DAY OF JULY 2014.

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

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

By: 

Judith Lovchik, PhD, D(ABMM)
Assistant Commissioner
Public Health Protection and Laboratory Services Commission

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