



**Request For Variance**  
 State Form 51184 (12-02)  
 Food Protection Program

**INDIANA STATE DEPARTMENT OF HEALTH**  
 Telephone: 317/233-7360 FAX: 317/233-7334

<b>1. Individual Submitting Request:</b>		Date: <u>10/31/12</u>
Name: <u>Carol J Stader</u>		Telephone: <u>(812) 455-3373</u> Fax: ( )
Mailing Address: <u>10310 Driver Dr.</u>		Email: <u>lqsice@gmail.com</u>
<small>Number &amp; Street</small>		
<u>Evansville</u>	<u>IN</u>	<u>47725</u>
<small>P.O. Box</small>	<small>City</small>	<small>State</small>
		<small>Zip Code</small>
<b>2. Person/Organization Seeking Variance:</b>		
Name: <u>IQ's Ice, LLC</u>		Email: <u>lqsice@gmail.com</u>
Mailing Address: <u>10310 Driver Dr.</u>		
<small>Number &amp; Street</small>		
<u>Evansville</u>	<u>IN</u>	<u>47725</u>
<small>P.O. Box</small>	<small>City</small>	<small>State</small>
		<small>Zip Code</small>
<b>3. Food Establishment(s) for Which Variance is Sought</b>		
<small>Include the following information for each food establishment: (List here or attach additional pages if necessary)</small>		
• Physical Location (if different than mailing address): <u>816 W. Main St.</u>		
• Mailing Address: <u>10310 Driver Dr., Evansville, IN 47725</u>		
<small>(Number, Street, City, State, &amp; Zip Code)</small>		
• Telephone Number: <u>(812) 455-3373</u>		Fax Number: ( )
• Person at each retail food establishment most responsible for supervising: <u>Carol J Stader/Kelly L. Denton</u>		
<b>4. State how the proposal varies from each rule requirement, citing relevant rule sections by number:</b>		
<small>(Attach additional pages if necessary)</small>		
4101AC-7-24-375 states that all permanent structures in Indiana must have sewers attached for disposal of wastewater. I request a variance that an Ice House America's Ice Vending House should not be deemed a permanent structure, as the unit will be secured to the ground, using cables, but does not have a concrete slab or sub structure. Therefore, a sewer connection would not be required. I am asking for a variance allowing the use of a holding tank to store a small amount, 1 gallon a month, of cleaning solution.		
<b>5. Explain how the potential public health hazards and/or nuisances will be alternatively addressed by the proposal. Include supporting studies, Hazard Analysis Critical Control Point (HACCP) Plan(s), standard sanitation operating procedures, and/or any other evidence: (Attach additional pages, if necessary.)</b>		
The state approved design documents for the Ice House Americas Ice House are attached. In the documents a holding tank can be used to collect a small amount of gray water from the monthly cleaning process. During the rest of the month, the holding tank is not attached since the only runoff is condensation from the refrigeration process. The cleaning process does create 1 gallon of a sanitation solution which would need to be disposed of properly off-site. Also attached is Section III Standard Sanitation and Maintenance Operating Procedure (SSOP) for reference. It is a standard for gray water to be disposed of through a sanitary sewage system. We are proposing to dispose of the gray water by capturing it in a holding tank for disposal. This method is identical to past variances granted by the Indiana State Department of Health for identical operations. Please reference variances, Ice Monster, LLC., granted 12/8/2011, Ice for Less, granted 5/23/2011, Hoosier Iceman, LLC in 2009 and 2012, and Frosty Mountain Ice, LLC in November of 2012.		

**6. List how the proposal demonstrates the following (if applicable to the request):**

A) How the proposal differs from what is common and usual in similar industry situations:

The proposed differs from what is common and usual in similar industry situations: Monthly or Quarterly sanitation procedure does not produce the same amount of wastewater as other food service operations. The cleaning process does produce about 1 gallon of gray water per month. The statute, as written, was for much higher volumes.

B) How the proposal is unique and not addressed in existing rules or law:

The proposal is unique in that the state code does not identify or handle Ice Manufacturing structures.

C) How the proposal does not diminish the protection of public health:

The holding tank is used temporarily to gather a sanitation solution during the monthly cleaning process (1 gallon). After the cleaning process is completed, it will be immediately disposed of without any chance to contaminate any surrounding ground. The actual Ice House, outside of the cleaning process does not create any toxic or harmful chemicals that would affect human consumption of ice. The unit never comes in contact with human skin and a steel

D) How the proposal is based on new scientific or technological principle(s):

Not based on new standards - just proper use of commonly accepted practices.

E) How the implementation of the variance would be practical:

The implementation of the variance would be practical because only a small amount of waste chemical is produced on a monthly basis (1 gallon). Under the proposed scenario all waste would be disposed of without having a sewer

**7. Explain how the person/organization seeking the variance will assure that all provisions of a granted variance will be enacted at each food establishment for which a variance has been granted:**

Each Ice House is an unoccupied structure. To ensure proper handling of the variance requested and the food protection code in general, will be the owner's responsibility. At the time of cleaning, care will be taken when handling the sanitation solution that enters the holding tank.

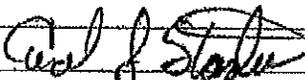
**8. List all affected parties known by the person/organization seeking a variance, including all affected regulatory authorities: (Attach additional pages if necessary)**

George Jones - Indiana State Department of Health  
Matthew Johnson - Warrick County Health Department  
Rick Yeager - Warrick County Health Department

9. Attach copies of any related variances, waivers or opinions issued by other governmental agencies.

For Office Use Only

10. Signature of Individual Making Request:



Printed Name, Title: Carol J Slader, President IQ's Ice, LLC.