



# Request For Variance

State Form 51184 (12/02)  
Food Protection Program

# RECEIVED

NOV 02 2012

PHONE 317-233-7360  
HEALTH  
317-233-7334

FOOD PROTECTION PROGRAM  
INDIANA STATE DEPT. OF HEALTH

### 1. Individual Submitting Request:

Date: 9 / 17 / 2012

Name: Franklin Reed Telephone: (773) 370-6396 Fax: ( )

Mailing Address: 7369 Winchester Lane Email: franklinreed@gmail.com

Number & Street

Schererville, IN 46375

P.O. Box

City

State

Zip Code

### 2. Person/Organization Seeking Variance:

Name: Reed Investment Holdings One, LLC Email: franklinreed@gmail.com

Mailing Address: 7369 Winchester Lane

Number & Street

Schererville, IN 46375

P.O. Box

City

State

Zip Code

### 3. Food Establishment(s) for Which Variance is Sought

Include the following information for each food establishment: (List here or attach additional pages if necessary)

- Physical Location (if different than mailing address): TBD but the targeted location is: 5800 Ridge Road, Gary, IN 46408
- Mailing Address: \_\_\_\_\_  
(Number, Street, City, State, & Zip Code)
- Telephone Number: (773) 370-6396 Fax Number: ( )
- Person at each retail food establishment most responsible for supervising: Franklin Reed

### 4. State how the proposal varies from each rule requirement, citing relevant rule sections by number:

(Attach additional pages if necessary)

Reed Investment Holdings One, LLC (RIHOL) is locating an ice vending machine at the named location. The ice maker produces condensation. We are proposing the condensation be discarded through a French Drain System. Any gray water which is produced through the process of sanitizing the machine and from the hand washing sink would be captured in a holding tank and discarded in an off-site sanitary sewer system. Therefore a sewer connection would not be required. We are requesting a variance allowing the use of a holding tank to store the small amount (1 gallon a month) of cleaning solution.

### 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.)

It is standard that gray water is disposed of through a sanitary sewage system. We are disposing the gray water by capturing it in a holding tank for future disposal. This method is identical to past variances granted by the Indiana State Dept. of Health for identical operations. Please refer to the March 2009 variance for Hoosier IceMan, LLC, November 2010, Frosty Mountain Ice, LLC, October 2011 Ice Monster LLC.

### 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:  
It is the standard that gray water be disposed of through a sanitary sewage system. We are disposing the gray water by capturing it in a holding tank for future disposal in a sanitary sewer.
- B) How the proposal is unique and not addressed in existing rules or law:  
The water produced for disposal at the site will come from condensation during the ice making process.
- C) How the proposal does not diminish the protection of public health:  
The water being disposed on site is from condensation from humidity collected on refrigerant coils. The public environments are not exposed to any pollutants.
- 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 (one) gallon. Under the proposed scenario all waste would be disposed of properly without having a sewer tap.

**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:**  
The gray water is produced only when the machine is sanitized every 6 (six) months. The process is conducted using a check list. The check list would include the valve to be switched to collect the gray water and its removal at the end of the sanitation process.

**8. List all affected parties known by the person/organization seeking a variance, including all affected regulatory authorities: (Attach additional pages if necessary)**  
Shirely Hawkins, Director & Dr. Roland Walker, Commissioner - Gary Health/Human Services

**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:** Franklin Reed  
Printed Name, Title: Franklin Reed, Managing Director, Reed Investment Holdings One, LLC.