



Request For Variance

State Form 51184 (12/02)
Food Protection Program

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

FOOD PROTECTION PROGRAM
INDIANA STATE DEPT. OF HEALTH

1. Individual Submitting Request:

Date: 4 / 4 / 2011

Name: Charles Stevens Telephone: (270) 389-2789 Fax: ()

Mailing Address: 416 W Young St Email: c48stevens@yahoo.com

Number & Street: Morganfield, Ky 42437
P.O. Box City State Zip Code

2. Person/Organization Seeking Variance:

Name: Ice For Less Email: c48stevens@yahoo.com

Mailing Address: 416 W Young

Number & Street: Morganfield, ky 42437
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): 4525 N First Ave Evansville, In 47710
- Mailing Address: 416 W Young ST. Morganfield, Ky. 42437
(Number, Street, City, State, & Zip Code)
- Telephone Number: (270) 389-2789 Fax Number: ()
- Person at each retail food establishment most responsible for supervising: Charles Stevens

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

(Attach additional pages if necessary)

4101AC 7-24-375 states that all permanent structures in Indiana must have sewers attached for disposal of wastewater. I request a variance that The Ice Cube vending machine 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 of cleaning solution when cleaning is required. Usually this occurs about 4 times a year unless contamination occurs. The amount of cleaning solution is about a gallon that would be held in the tank.

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.)

Attached you will find the designed documents for The Ice Cube vending machine. In the documents a holding tank can be used to collect a small amount of cleaning solution. During the rest of the month the holding tank is not attached as the only runoff is the melting of the ice. The cleaning process does create about 1 gallon of sanitation solution which will be properly disposed of off site. Attached is the cleaning manual for reference.

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:
Quarterly sanitation procedures does not produce the same amount of wastewater as other food service operations. This machine produces 1 gallon of wastewater per month. The staur was written for much higher volumes of wastewater and could not anticipate this kind of unit be developed.

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 indentify 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 quarterly cleaning process (1 gallon). Ather the cleaning is completed it will be immediately disposed of without any chance of contaminate any of the surrounding ground. The actual Ice Cube vending machine does not create any toxic or harmful chemicals that would affect human consumption of ice. The unit neve comes in contact with human skin and a state approved sanitizer will be used. This process is much cleaner than the current industry standard of holding ice in ice bins outside of gas stations or kwik pic markets.

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 chemical is produce on a quarterly basis.(1 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:

Each Ice cube 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. We will have a contract with a proper disposal company to haul the cleaning solution away off site.

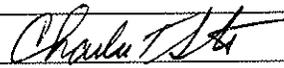
8. List all affected parties known by the person/organization seeking a variance, including all affected regulatory authorities: (Attach additional pages if necessary)

George Jones - Indiana State Department of Health
David A Gries - Director , Enviromental Division, Vanderburgh County Health Dept

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

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10. Signature of Individual Making Request:



Printed Name, Title: Charles T Stevens President Ice For Less, LLC