

July 9, 2012

Sent via Certified Mail Number: 7010 2780 0003 1500 4013

Mr. Harry Bussey
ICC Technologies LLC
240 Boundary Road
Marlboro, NJ 07746

Re: Review for Compliance with FS381.0065(4)(m) – **“Flowtech Aggregate Dye”**

Dear Mr. Harry Bussey:

This letter is to acknowledge receipt of information regarding the proposed use of the product, **“Flowtech Aggregate Dye”** for statewide use in Florida. No product sold in the state for use in onsite sewage treatment and disposal systems may contain any substance in concentrations or amounts that would interfere with or prevent the successful operation of such system, or that would cause discharges from such systems to violate applicable water quality standards, section 381.0065(4)(m), Florida Statutes (FS).

The department has reviewed the information provided in the MSDS, the LC₅₀ value reported from the 96-Hr Acute Definitive Toxicity test, and laboratory analysis of VOCs for the **“Flowtech Aggregate Dye”** product. Based on this information, the department has determined that the proposed formulation and use of the product, **“Flowtech Aggregate Dye”** complies with s. 381.0065(4)(m), FS, and the criteria published in rule 64E-6.0151, Florida Administrative Code (FAC). The reviewed formulation, application instructions, and description are for a compliant application rate of per the approved installation manual, composed of ingredients as listed in the reviewed documents.

The department has no objection to the use of the product under this name, and in accordance with the manufacturer’s instructions as reviewed. Please be advised that all rules pertaining to the use of the product shall be observed and that there shall be no advertising of the product as state approved.

Be advised that the department is not a testing agency and that this determination reflects only a review of the information submitted by you for compliance with Florida Statutes and Florida Administrative Code. The product evaluation does not investigate the validity of performance claims by manufacturers. For this reason, departmental determination of compliance must not be interpreted as certifying effectiveness, endorsing, or recommending use of an additive. The Florida Department of Health also does not assume liability for any promise, guarantee, or expectation from purchasing or using an additive. The department reserves the right to withdraw acceptance if product formulation, ingredients, or labeling are modified after product evaluation by the department or subsequently found not to comply with rule 64E-6.0151, F.A.C, or chapter 381.0065, F.S.

Mr. Harry Bussey

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This letter of product compliance for the product "**Flowtech Aggregate Dye**" is limited to Department of Health jurisdictional circumstances as defined in Chapter 64E-6.0151, F.A.C, and Chapter 381.0065, F.S.

If we may be of further assistance or should you have any additional questions regarding this letter, please contact Marcelo J. Blanco by email at Marcelo_Blanco@doh.state.fl.us or by phone at (407) 316-4540.

Sincerely,



Gerald Briggs, Environmental Administrator
Water and Onsite Sewage Section

GB/mjb

NOTICE OF RIGHTS TO APPEAL

A party whose substantial interest is affected by this order may petition for an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes. Such proceedings are governed by Chapter 28-106, Florida Administrative Code. A petition for a hearing must be in writing and must be received by the Agency Clerk for the Department within twenty-one (21) days from the receipt of this order. The address for the Agency Clerk is 4052 Bald Cypress Way, Bin # A02, Tallahassee, FL 32399-1703. The Agency Clerk's facsimile number is (850) 410-1448.

Mediation is not available as an alternative remedy.

Your failure to submit a petition for hearing within 21 days from receipt of this order will constitute a waiver of your right to an administrative hearing, and this order shall become a "final order".

Should this Order become a Final Order, a party who is adversely affected by it is entitled to judicial review pursuant to section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings may be commenced by filing one copy of a Notice of Appeal with the Agency Clerk of the Department of Health and a second copy accompanied by the filing fees required by law with the Court of Appeal in the appropriate District Court. The notice must be filed within 30 days of the rendition of the final order.