

<div>Form 5500</div> <div>Department of the Treasury Internal Revenue Service</div> <div>Department of Labor Employee Benefits Security Administration</div> <div>Pension Benefit Guaranty Corporation</div>	<div>Annual Return/Report of Employee Benefit Plan</div> <div>This form is required to be filed for employee benefit plans under sections 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and sections 6047(e), and 6058(a) of the Internal Revenue Code (the Code).</div> <div>▶ Complete all entries in accordance with the instructions to the Form 5500.</div>	<div>OMB Nos. 1210-0110 1210-0089</div> <div>2009</div> <div>This Form is Open to Public Inspection</div>
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Part I	Annual Report Identification Information
For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009	
A This return/report is for:	<div>☐ a multiemployer plan;</div> <div>☒ a single-employer plan;</div> <div>☐ a multiple-employer plan; or</div> <div>☐ a DFE (specify) ____</div>
B This return/report is:	<div>☐ the first return/report;</div> <div>☐ the final return/report;</div> <div>☐ an amended return/report;</div> <div>☐ a short plan year return/report (less than 12 months).</div>
C If the plan is a collectively-bargained plan, check here.	☐
D Check box if filing under:	<div>☒ Form 5558;</div> <div>☐ automatic extension;</div> <div>☐ the DFVC program;</div> <div>☐ special extension (enter description)</div>

Part II	Basic Plan Information—enter all requested information
1a Name of plan ICE INDUSTRIES 401K PLAN	1b Three-digit plan number (PN) ▶ 001
	1c Effective date of plan 03/01/2001
2a Plan sponsor's name and address (employer, if for a single-employer plan) (Address should include room or suite no.) ICE INDUSTRIES, INC. 3810 HERR ROAD SYLVANIA, OH 43560-8925	2b Employer Identification Number (EIN) 34-1894378
	2c Sponsor's telephone number 419-842-3603
	2d Business code (see instructions) 332110

Caution: A penalty for the late or incomplete filing of this return/report will be assessed unless reasonable cause is established.

Under penalties of perjury and other penalties set forth in the instructions, I declare that I have examined this return/report, including accompanying schedules, statements and attachments, as well as the electronic version of this return/report, and to the best of my knowledge and belief, it is true, correct, and complete.

SIGN HERE	Filed with authorized/valid electronic signature.	10/14/2010	MARK J. ECHLER
	Signature of plan administrator	Date	Enter name of individual signing as plan administrator
SIGN HERE	Filed with authorized/valid electronic signature.	10/14/2010	MARK J. ECHLER
	Signature of employer/plan sponsor	Date	Enter name of individual signing as employer or plan sponsor
SIGN HERE			
	Signature of DFE	Date	Enter name of individual signing as DFE

3a Plan administrator's name and address (if same as plan sponsor, enter "Same") ICE INDUSTRIES, INC. 3810 HERR ROAD SYLVANIA, OH 43560-8925	3b Administrator's EIN 34-1894378 3c Administrator's telephone number 419-842-3603
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4 If the name and/or EIN of the plan sponsor has changed since the last return/report filed for this plan, enter the name, EIN and the plan number from the last return/report: a Sponsor's name	4b EIN 4c PN
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5 Total number of participants at the beginning of the plan year	5	353
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6 Number of participants as of the end of the plan year (welfare plans complete only lines 6a , 6b , 6c , and 6d).		
a Active participants.....	6a	258
b Retired or separated participants receiving benefits.....	6b	0
c Other retired or separated participants entitled to future benefits.....	6c	55
d Subtotal. Add lines 6a , 6b , and 6c	6d	313
e Deceased participants whose beneficiaries are receiving or are entitled to receive benefits.....	6e	0
f Total. Add lines 6d and 6e	6f	313
g Number of participants with account balances as of the end of the plan year (only defined contribution plans complete this item).....	6g	256
h Number of participants that terminated employment during the plan year with accrued benefits that were less than 100% vested.....	6h	4

7 Enter the total number of employers obligated to contribute to the plan (only multiemployer plans complete this item)	7	
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8a If the plan provides pension benefits, enter the applicable pension feature codes from the List of Plan Characteristic Codes in the instructions:
 2E 2F 2G 2J 2K 3D

b If the plan provides welfare benefits, enter the applicable welfare feature codes from the List of Plan Characteristic Codes in the instructions:

9a Plan funding arrangement (check all that apply) (1) ☐ Insurance (2) ☐ Code section 412(e)(3) insurance contracts (3) ☒ Trust (4) ☐ General assets of the sponsor	9b Plan benefit arrangement (check all that apply) (1) ☐ Insurance (2) ☐ Code section 412(e)(3) insurance contracts (3) ☒ Trust (4) ☐ General assets of the sponsor
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10 Check all applicable boxes in 10a and 10b to indicate which schedules are attached, and, where indicated, enter the number attached. (See instructions)

a Pension Schedules

- (1) ☒ **R** (Retirement Plan Information)
 (2) ☐ **MB** (Multiemployer Defined Benefit Plan and Certain Money Purchase Plan Actuarial Information) - signed by the plan actuary
 (3) ☐ **SB** (Single-Employer Defined Benefit Plan Actuarial Information) - signed by the plan actuary

b General Schedules

- (1) ☒ **H** (Financial Information)
 (2) ☐ **I** (Financial Information – Small Plan)
 (3) ☐ **A** (Insurance Information)
 (4) ☒ **C** (Service Provider Information)
 (5) ☒ **D** (DFE/Participating Plan Information)
 (6) ☐ **G** (Financial Transaction Schedules)

<div>SCHEDULE C</div> <div>(Form 5500)</div> <div>Department of the Treasury Internal Revenue Service</div> <div>Department of Labor Employee Benefits Security Administration</div> <div>Pension Benefit Guaranty Corporation</div>	<div>Service Provider Information</div> <div>This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA).</div> <div>▶ File as an attachment to Form 5500.</div>	OMB No. 1210-0110
		2009
		This Form is Open to Public Inspection.

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

<div>A Name of plan</div> <div>ICE INDUSTRIES 401K PLAN</div>	<div>B Three-digit plan number (PN)</div> <div>▶</div> <div>001</div>
<div>C Plan sponsor's name as shown on line 2a of Form 5500</div> <div>ICE INDUSTRIES, INC.</div>	<div>D Employer Identification Number (EIN)</div> <div>34-1894378</div>

Part I

Service Provider Information (see instructions)

You must complete this Part, in accordance with the instructions, to report the information required for **each person** who received, directly or indirectly, \$5,000 or more in total compensation (i.e., money or anything else of monetary value) in connection with services rendered to the plan or the person's position with the plan during the plan year. If a person received **only** eligible indirect compensation for which the plan received the required disclosures, you are required to answer line 1 but are not required to include that person when completing the remainder of this Part.

1 Information on Persons Receiving Only Eligible Indirect Compensation

a Check "Yes" or "No" to indicate whether you are excluding a person from the remainder of this Part because they received only eligible indirect compensation for which the plan received the required disclosures (see instructions for definitions and conditions)..... ☐ Yes ☒ No

b If you answered line 1a "Yes," enter the name and EIN or address of each person providing the required disclosures for the service providers who received only eligible indirect compensation. Complete as many entries as needed (see instructions).

(b) Enter name and EIN or address of person who provided you disclosures on eligible indirect compensation

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2. Information on Other Service Providers Receiving Direct or Indirect Compensation. Except for those persons for whom you answered "yes" to line 1a above, complete as many entries as needed to list each person receiving, directly or indirectly, \$5,000 or more in total compensation (i.e., money or anything else of value) in connection with services rendered to the plan or their position with the plan during the plan year. (See instructions).

(a) Enter name and EIN or address (see instructions)

PNC BANK, N.A.

25-1211909

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
25 59 60 63	TRUSTEE	5	Yes ☒ No ☐	Yes ☒ No ☐	0	Yes ☒ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

(a) Enter name and EIN or address (see instructions)

(b) Service Code(s)	(c) Relationship to employer, employee organization, or person known to be a party-in-interest	(d) Enter direct compensation paid by the plan. If none, enter -0-.	(e) Did service provider receive indirect compensation? (sources other than plan or plan sponsor)	(f) Did indirect compensation include eligible indirect compensation, for which the plan received the required disclosures?	(g) Enter total indirect compensation received by service provider excluding eligible indirect compensation for which you answered "Yes" to element (f). If none, enter -0-.	(h) Did the service provider give you a formula instead of an amount or estimated amount?
			Yes ☐ No ☐	Yes ☐ No ☐		Yes ☐ No ☐

Part I Service Provider Information (continued)

3 If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
AMERICAN CENTURY LARGE COMPANY VALU P.O. BOX 419385 KANSAS CITY, MO 64141	35 BASIS POINTS ANNUALLY-60 25 BASIS POINTS ANNUALLY-63	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
AMERICAN CENTURY STRATEGIC ALLOCATI P.O. BOX 419385 KANSAS CITY, MO 64141	35 BASIS POINTS ANNUALLY-60 25 BASIS POINTS ANNUALLY-63	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
AMERICAN CENTURY STRATEGIC ALLOCATI P.O. BOX 419385 KANSAS CITY, MO 64141	35 BASIS POINTS ANNUALLY-60 25 BASIS POINTS ANNUALLY-63	

Part I Service Provider Information (continued)

3 If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
AMERICAN CENTURY STRATEGIC ALLOCATI P.O. BOX 419385 KANSAS CITY, MO 64141	35 BASIS POINTS ANNUALLY-60 25 BASIS POINTS ANNUALLY-63	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
AMERICAN FUNDS - EUROPACIFIC GROWTH 333 SOUTH HOPE STREET LOS ANGELES, CA 90071	10 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.	
AMERICAN FUNDS - THE GROWTH FUND OF 333 SOUTH HOPE STREET LOS ANGELES, CA 90071	10 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63	

Part I Service Provider Information (continued)

3 If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60	0
(d) Enter name and EIN (address) of source of indirect compensation		(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
ARTISAN MID CAP VALUE FUND 875 E. WISCONSIN AVENUE, SUITE 800 MILWAUKEE, WI 53202	35 BASIS POINTS ANNUALLY-60	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation		(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
BARON GROWTH FUND 767 FIFTH AVENUE, 49TH FLOOR NEW YORK, NY 10153	15 BASIS POINTS ANNUALLY-60 25 BASIS POINTS ANNUALLY-63	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation		(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
BLACKROCK INDEX EQUITY PORTFOLIO 40 EAST 52ND STREET NEW YORK, NY 10022	4 BASIS POINTS ANNUALLY-60 15 BASIS POINTS ANNUALLY-63	

Part I Service Provider Information (continued)

3 If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation		(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
DAVIS NEW YORK VENTURE FUND 2949 EAST ELVIRA ROAD, SUITE 101 TUCSON, AZ 85756	10 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	59 60	0
(d) Enter name and EIN (address) of source of indirect compensation		(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
FEDERATED TOTAL RETURN BOND FUND FEDERATED INVESTORS TOWER PITTSBURGH, PA 15222	25 BASIS POINTS ANNUALLY-59 5 BASIS POINTS ANNUALLY-60	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation		(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
FIDELITY ADVISOR NEW INSIGHTS FUND 82 DEVONSHIRE ST. BOSTON, MA 02109	10 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63	

Part I Service Provider Information (continued)

3 If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0

(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
ING INDEX PLUS MIDCAP FUND 7337 E DOUBLETREE RANCH ROAD SCOTTSDALE, AZ 85258	25 BASIS POINTS ANNUALLY-60 25 BASIS POINTS ANNUALLY-63

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0

(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
ING INDEX PLUS SMALLCAP FUND 7337 E DOUBLETREE RANCH ROAD SCOTTSDALE, AZ 85258	25 BASIS POINTS ANNUALLY-60 25 BASIS POINTS ANNUALLY-63

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0

(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
JANUS ENTERPRISE FUND CLASS S 151 DETROIT STREET DENVER, CO 80206	25 BASIS POINTS ANNUALLY-60 25 BASIS POINTS ANNUALLY-63

Part I Service Provider Information (continued)

3 If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation		(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
JANUS OVERSEAS FUND CLASS S 151 DETROIT STREET DENVER, CO 80206	25 BASIS POINTS ANNUALLY-60 25 BASIS POINTS ANNUALLY-63	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation		(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
T. ROWE PRICE INTERNATIONAL GROWTH 100 EAST PRATT STREET BALTIMORE, MD 21202	15 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63	
(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0
(d) Enter name and EIN (address) of source of indirect compensation		(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
T. ROWE PRICE RETIREMENT 2010 FUND 100 EAST PRATT STREET BALTIMORE, MD 21202	15 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63	

Part I Service Provider Information (continued)

3 If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0

(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
T. ROWE PRICE RETIREMENT 2020 FUND 100 EAST PRATT STREET BALTIMORE, MD 21202	15 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0

(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
T. ROWE PRICE RETIREMENT 2030 FUND 100 EAST PRATT STREET BALTIMORE, MD 21202	15 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0

(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
T. ROWE PRICE RETIREMENT 2040 FUND 100 EAST PRATT STREET BALTIMORE, MD 21202	15 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63

Part I Service Provider Information (continued)

3 If you reported on line 2 receipt of indirect compensation, other than eligible indirect compensation, by a service provider, and the service provider is a fiduciary or provides contract administrator, consulting, custodial, investment advisory, investment management, broker, or recordkeeping services, answer the following questions for (a) each source from whom the service provider received \$1,000 or more in indirect compensation and (b) each source for whom the service provider gave you a formula used to determine the indirect compensation instead of an amount or estimated amount of the indirect compensation. Complete as many entries as needed to report the required information for each source.

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60 63	0

(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
T. ROWE PRICE RETIREMENT 2050 FUND 100 EAST PRATT STREET BALTIMORE, MD 21202	15 BASIS POINTS ANNUALLY-60 50 BASIS POINTS ANNUALLY-63

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation
PNC BANK, N.A.	60	0

(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.
THIRD AVENUE SMALL CAP VALUE FUND 622 THIRD AVENUE, 32 FLOOR NEW YORK, NY 10017	35 BASIS POINTS ANNUALLY-60

(a) Enter service provider name as it appears on line 2	(b) Service Codes (see instructions)	(c) Enter amount of indirect compensation

(d) Enter name and EIN (address) of source of indirect compensation	(e) Describe the indirect compensation, including any formula used to determine the service provider's eligibility for or the amount of the indirect compensation.

(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide
(a) Enter name and EIN or address of service provider (see instructions)	(b) Nature of Service Code(s)	(c) Describe the information that the service provider failed or refused to provide

Part III Termination Information on Accountants and Enrolled Actuaries (see instructions)
(complete as many entries as needed)

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN:
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN;
c Position:	
d Address:	e Telephone:

Explanation:

a Name:	b EIN;
c Position:	
d Address:	e Telephone:

Explanation:

<div>SCHEDULE D</div> <div>(Form 5500)</div> <div>Department of the Treasury Internal Revenue Service</div> <div>Department of Labor Employee Benefits Security Administration</div>		<div>DFE/Participating Plan Information</div> <div>This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA).</div> <div>▶ File as an attachment to Form 5500.</div>		<div>OMB No. 1210-0110</div> <div>2009</div> <div>This Form is Open to Public Inspection.</div>	
For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009					
A Name of plan ICE INDUSTRIES 401K PLAN				B Three-digit plan number (PN) ▶ 001	
C Plan or DFE sponsor's name as shown on line 2a of Form 5500 ICE INDUSTRIES, INC.				D Employer Identification Number (EIN) 34-1894378	
Part I Information on interests in MTIAs, CCTs, PSAs, and 103-12 IEs (to be completed by plans and DFEs) (Complete as many entries as needed to report all interests in DFEs)					
a Name of MTIA, CCT, PSA, or 103-12 IE: PNC EBT INVESTMENT CONTRACT FUND					
b Name of sponsor of entity listed in (a): PNC BANK N.A.					
c EIN-PN 25-1197336-001		d Entity code C		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions) 398888	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year (see instructions)	
a Name of MTIA, CCT, PSA, or 103-12 IE:					
b Name of sponsor of entity listed in (a):					
c EIN-PN		d Entity code		e Dollar value of interest in MTIA, CCT, PSA, or 103-12 IE at end of year	

a Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)**a** Name of MTIA, CCT, PSA, or 103-12 IE:**b** Name of sponsor of entity listed in (a):**c** EIN-PN**d** Entity
code**e** Dollar value of interest in MTIA, CCT, PSA, or
103-12 IE at end of year (see instructions)

Part II Information on Participating Plans (to be completed by DFEs)

(Complete as many entries as needed to report all participating plans)

a Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN**a** Plan name**b** Name of
plan sponsor**c** EIN-PN

SCHEDULE H (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Financial Information This schedule is required to be filed under section 104 of the Employee Retirement Income Security Act of 1974 (ERISA), and section 6058(a) of the Internal Revenue Code (the Code). ► File as an attachment to Form 5500.	OMB No. 1210-0110
		2009
		This Form is Open to Public Inspection

For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009		
A Name of plan ICE INDUSTRIES 401K PLAN	B Three-digit plan number (PN) ►	001
C Plan sponsor's name as shown on line 2a of Form 5500 ICE INDUSTRIES, INC.	D Employer Identification Number (EIN) 34-1894378	

Part I	Asset and Liability Statement
---------------	--------------------------------------

1 Current value of plan assets and liabilities at the beginning and end of the plan year. Combine the value of plan assets held in more than one trust. Report the value of the plan's interest in a commingled fund containing the assets of more than one plan on a line-by-line basis unless the value is reportable on lines 1c(9) through 1c(14). Do not enter the value of that portion of an insurance contract which guarantees, during this plan year, to pay a specific dollar benefit at a future date. **Round off amounts to the nearest dollar.** MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 1b(1), 1b(2), 1c(8), 1g, 1h, and 1i. CCTs, PSAs, and 103-12 IEs also do not complete lines 1d and 1e. See instructions.

Assets		(a) Beginning of Year	(b) End of Year
a Total noninterest-bearing cash	1a	6	
b Receivables (less allowance for doubtful accounts):			
(1) Employer contributions	1b(1)	4092	4092
(2) Participant contributions	1b(2)	11292	16030
(3) Other.....	1b(3)		
c General investments:			
(1) Interest-bearing cash (include money market accounts & certificates of deposit)	1c(1)		
(2) U.S. Government securities.....	1c(2)		
(3) Corporate debt instruments (other than employer securities):			
(A) Preferred	1c(3)(A)		
(B) All other.....	1c(3)(B)		
(4) Corporate stocks (other than employer securities):			
(A) Preferred	1c(4)(A)		
(B) Common	1c(4)(B)		
(5) Partnership/joint venture interests	1c(5)		
(6) Real estate (other than employer real property)	1c(6)		
(7) Loans (other than to participants)	1c(7)		
(8) Participant loans	1c(8)	111742	134405
(9) Value of interest in common/collective trusts.....	1c(9)		398888
(10) Value of interest in pooled separate accounts.....	1c(10)		
(11) Value of interest in master trust investment accounts	1c(11)		
(12) Value of interest in 103-12 investment entities	1c(12)		
(13) Value of interest in registered investment companies (e.g., mutual funds).....	1c(13)	3379102	3885127
(14) Value of funds held in insurance company general account (unallocated contracts).....	1c(14)		
(15) Other	1c(15)	387658	0

1d Employer-related investments:

		(a) Beginning of Year	(b) End of Year
(1) Employer securities	1d(1)		
(2) Employer real property	1d(2)		
e Buildings and other property used in plan operation	1e		
f Total assets (add all amounts in lines 1a through 1e)	1f	3893892	4438542

Liabilities

g Benefit claims payable	1g		
h Operating payables	1h		
i Acquisition indebtedness	1i		
j Other liabilities	1j	16052	
k Total liabilities (add all amounts in lines 1g through 1j)	1k	16052	0

Net Assets

l Net assets (subtract line 1k from line 1f)	1l	3877840	4438542
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Part II Income and Expense Statement

2 Plan income, expenses, and changes in net assets for the year. Include all income and expenses of the plan, including any trust(s) or separately maintained fund(s) and any payments/receipts to/from insurance carriers. Round off amounts to the nearest dollar. MTIAs, CCTs, PSAs, and 103-12 IEs do not complete lines 2a, 2b(1)(E), 2e, 2f, and 2g.

Income**a Contributions:**

		(a) Amount	(b) Total
(1) Received or receivable in cash from: (A) Employers	2a(1)(A)	22865	
(B) Participants	2a(1)(B)	375617	
(C) Others (including rollovers)	2a(1)(C)		
(2) Noncash contributions	2a(2)		
(3) Total contributions. Add lines 2a(1)(A) , (B) , (C) , and line 2a(2)	2a(3)		398482

b Earnings on investments:**(1) Interest:**

(A) Interest-bearing cash (including money market accounts and certificates of deposit)	2b(1)(A)		
(B) U.S. Government securities	2b(1)(B)		
(C) Corporate debt instruments	2b(1)(C)		
(D) Loans (other than to participants)	2b(1)(D)		
(E) Participant loans	2b(1)(E)	5770	
(F) Other	2b(1)(F)		
(G) Total interest. Add lines 2b(1)(A) through (F)	2b(1)(G)		5770

(2) Dividends: (A) Preferred stock	2b(2)(A)		
(B) Common stock	2b(2)(B)	41745	
(C) Registered investment company shares (e.g. mutual funds)	2b(2)(C)		
(D) Total dividends. Add lines 2b(2)(A) , (B) , and (C)	2b(2)(D)		41745

(3) Rents	2b(3)		
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(4) Net gain (loss) on sale of assets: (A) Aggregate proceeds	2b(4)(A)	1422073	
(B) Aggregate carrying amount (see instructions)	2b(4)(B)	1368786	
(C) Subtract line 2b(4)(B) from line 2b(4)(A) and enter result	2b(4)(C)		53287

		(a) Amount	(b) Total
2b (5) Unrealized appreciation (depreciation) of assets: (A) Real estate.....	2b(5)(A)		
(B) Other	2b(5)(B)		
(C) Total unrealized appreciation of assets. Add lines 2b(5)(A) and (B)	2b(5)(C)		0
(6) Net investment gain (loss) from common/collective trusts	2b(6)		7739
(7) Net investment gain (loss) from pooled separate accounts	2b(7)		
(8) Net investment gain (loss) from master trust investment accounts	2b(8)		
(9) Net investment gain (loss) from 103-12 investment entities	2b(9)		
(10) Net investment gain (loss) from registered investment companies (e.g., mutual funds).....	2b(10)		634002
c Other income.....	2c		-1
d Total income. Add all income amounts in column (b) and enter total.....	2d		1141024

Expenses

e Benefit payment and payments to provide benefits:			
(1) Directly to participants or beneficiaries, including direct rollovers	2e(1)	572479	
(2) To insurance carriers for the provision of benefits	2e(2)		
(3) Other	2e(3)	5	
(4) Total benefit payments. Add lines 2e(1) through (3)	2e(4)		572484
f Corrective distributions (see instructions)	2f		7838
g Certain deemed distributions of participant loans (see instructions).....	2g		
h Interest expense.....	2h		
i Administrative expenses: (1) Professional fees	2i(1)		
(2) Contract administrator fees	2i(2)		
(3) Investment advisory and management fees	2i(3)		
(4) Other	2i(4)		
(5) Total administrative expenses. Add lines 2i(1) through (4)	2i(5)		0
j Total expenses. Add all expense amounts in column (b) and enter total.....	2j		580322

Net Income and Reconciliation

k Net income (loss). Subtract line 2j from line 2d	2k		560702
l Transfers of assets:			
(1) To this plan.....	2l(1)		
(2) From this plan	2l(2)		

Part III Accountant's Opinion

3 Complete lines 3a through 3c if the opinion of an independent qualified public accountant is attached to this Form 5500. Complete line 3d if an opinion is not attached.

a The attached opinion of an independent qualified public accountant for this plan is (see instructions):

(1) ☐ Unqualified (2) ☐ Qualified (3) ☒ Disclaimer (4) ☐ Adverse

b Did the accountant perform a limited scope audit pursuant to 29 CFR 2520.103-8 and/or 103-12(d)? ☒ Yes ☐ No

c Enter the name and EIN of the accountant (or accounting firm) below:

(1) Name: GILMORE, JASION & MAHLER, LTD.

(2) EIN: 34-1827159

d The opinion of an independent qualified public accountant is **not attached** because:

(1) ☐ This form is filed for a CCT, PSA, or MTIA. (2) ☐ It will be attached to the next Form 5500 pursuant to 29 CFR 2520.104-50.

Part IV Compliance Questions

- 4** CCTs and PSAs do not complete Part IV. MTIAs, 103-12 IEs, and GIAs do not complete 4a, 4e, 4f, 4g, 4h, 4k, 4m, 4n, or 5. 103-12 IEs also do not complete 4j and 4l. MTIAs also do not complete 4l.

During the plan year:

	Yes	No	Amount
a Was there a failure to transmit to the plan any participant contributions within the time period described in 29 CFR 2510.3-102? Continue to answer "Yes" for any prior year failures until fully corrected. (See instructions and DOL's Voluntary Fiduciary Correction Program.).....	☒		11292
b Were any loans by the plan or fixed income obligations due the plan in default as of the close of the plan year or classified during the year as uncollectible? Disregard participant loans secured by participant's account balance. (Attach Schedule G (Form 5500) Part I if "Yes" is checked.).....		☒	
c Were any leases to which the plan was a party in default or classified during the year as uncollectible? (Attach Schedule G (Form 5500) Part II if "Yes" is checked.)		☒	
d Were there any nonexempt transactions with any party-in-interest? (Do not include transactions reported on line 4a. Attach Schedule G (Form 5500) Part III if "Yes" is checked.).....		☒	
e Was this plan covered by a fidelity bond?.....	☒		1000000
f Did the plan have a loss, whether or not reimbursed by the plan's fidelity bond, that was caused by fraud or dishonesty?		☒	
g Did the plan hold any assets whose current value was neither readily determinable on an established market nor set by an independent third party appraiser?		☒	
h Did the plan receive any noncash contributions whose value was neither readily determinable on an established market nor set by an independent third party appraiser?		☒	
i Did the plan have assets held for investment? (Attach schedule(s) of assets if "Yes" is checked, and see instructions for format requirements.).....	☒		
j Were any plan transactions or series of transactions in excess of 5% of the current value of plan assets? (Attach schedule of transactions if "Yes" is checked, and see instructions for format requirements.).....		☒	
k Were all the plan assets either distributed to participants or beneficiaries, transferred to another plan, or brought under the control of the PBGC?.....		☒	
l Has the plan failed to provide any benefit when due under the plan?		☒	
m If this is an individual account plan, was there a blackout period? (See instructions and 29 CFR 2520.101-3.).....		☒	
n If 4m was answered "Yes," check the "Yes" box if you either provided the required notice or one of the exceptions to providing the notice applied under 29 CFR 2520.101-3.			

- 5a** Has a resolution to terminate the plan been adopted during the plan year or any prior plan year?
If yes, enter the amount of any plan assets that reverted to the employer this year ☐ Yes ☒ No Amount:

- 5b** If, during this plan year, any assets or liabilities were transferred from this plan to another plan(s), identify the plan(s) to which assets or liabilities were transferred. (See instructions.)

5b(1) Name of plan(s)	5b(2) EIN(s)	5b(3) PN(s)

SCHEDULE R (Form 5500) Department of the Treasury Internal Revenue Service Department of Labor Employee Benefits Security Administration Pension Benefit Guaranty Corporation	Retirement Plan Information This schedule is required to be filed under section 104 and 4065 of the Employee Retirement Income Security Act of 1974 (ERISA) and section 6058(a) of the Internal Revenue Code (the Code). ▶ File as an attachment to Form 5500.	OMB No. 1210-0110 2009 This Form is Open to Public Inspection.
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For calendar plan year 2009 or fiscal plan year beginning 01/01/2009 and ending 12/31/2009

A Name of plan <u>ICE INDUSTRIES 401K PLAN</u>	B Three-digit plan number (PN) ▶ <u>001</u>
C Plan sponsor's name as shown on line 2a of Form 5500 <u>ICE INDUSTRIES, INC.</u>	D Employer Identification Number (EIN) <u>34-1894378</u>

Part I	Distributions
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All references to distributions relate only to payments of benefits during the plan year.

1 Total value of distributions paid in property other than in cash or the forms of property specified in the instructions.....	1	<u>0</u>
2 Enter the EIN(s) of payor(s) who paid benefits on behalf of the plan to participants or beneficiaries during the year (if more than two, enter EINs of the two payors who paid the greatest dollar amounts of benefits): EIN(s): <u>25-1211909</u>		
Profit-sharing plans, ESOPs, and stock bonus plans, skip line 3.		
3 Number of participants (living or deceased) whose benefits were distributed in a single sum, during the plan year.....	3	

Part II	Funding Information (If the plan is not subject to the minimum funding requirements of section 412 of the Internal Revenue Code or ERISA section 302, skip this Part)
----------------	--

4 Is the plan administrator making an election under Code section 412(d)(2) or ERISA section 302(d)(2)?.....	☐ Yes	☐ No	☐ N/A
If the plan is a defined benefit plan, go to line 8.			
5 If a waiver of the minimum funding standard for a prior year is being amortized in this plan year, see instructions and enter the date of the ruling letter granting the waiver. Date: Month _____ Day _____ Year _____ If you completed line 5, complete lines 3, 9, and 10 of Schedule MB and do not complete the remainder of this schedule.			
6 a Enter the minimum required contribution for this plan year	6a		
b Enter the amount contributed by the employer to the plan for this plan year	6b		
c Subtract the amount in line 6b from the amount in line 6a. Enter the result (enter a minus sign to the left of a negative amount).....	6c		
If you completed line 6c, skip lines 8 and 9.			
7 Will the minimum funding amount reported on line 6c be met by the funding deadline?	☐ Yes	☐ No	☐ N/A
8 If a change in actuarial cost method was made for this plan year pursuant to a revenue procedure providing automatic approval for the change or a class ruling letter, does the plan sponsor or plan administrator agree with the change?.....	☐ Yes	☐ No	☐ N/A

Part III	Amendments
-----------------	-------------------

9 If this is a defined benefit pension plan, were any amendments adopted during this plan year that increased or decreased the value of benefits? If yes, check the appropriate box(es). If no, check the "No" box.....	☐ Increase	☐ Decrease	☐ Both	☐ No
--	-----------------------------------	-----------------------------------	-------------------------------	-----------------------------

Part IV	ESOPs (see instructions). If this is not a plan described under Section 409(a) or 4975(e)(7) of the Internal Revenue Code, skip this Part.
----------------	---

10 Were unallocated employer securities or proceeds from the sale of unallocated securities used to repay any exempt loan?.....	☐ Yes	☐ No
11 a Does the ESOP hold any preferred stock?	☐ Yes	☐ No
b If the ESOP has an outstanding exempt loan with the employer as lender, is such loan part of a "back-to-back" loan? (See instructions for definition of "back-to-back" loan.)	☐ Yes	☐ No
12 Does the ESOP hold any stock that is not readily tradable on an established securities market?	☐ Yes	☐ No

For Paperwork Reduction Act Notice and OMB Control Numbers, see the instructions for Form 5500.

Schedule R (Form 5500) 2009
v.092308.1

Part V Additional Information for Multiemployer Defined Benefit Pension Plans

13 Enter the following information for each employer that contributed more than 5% of total contributions to the plan during the plan year (measured in dollars). See instructions. *Complete as many entries as needed to report all applicable employers.*

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

a Name of contributing employer

b EIN

c Dollar amount contributed by employer

d Date collective bargaining agreement expires (If employer contributes under more than one collective bargaining agreement, check box ☐ and see instructions regarding required attachment. Otherwise, enter the applicable date.) Month _____ Day _____ Year _____

e Contribution rate information (If more than one rate applies, check this box ☐ and see instructions regarding required attachment. Otherwise, complete items 13e(1) and 13e(2).)

(1) Contribution rate (in dollars and cents) _____

(2) Base unit measure: ☐ Hourly ☐ Weekly ☐ Unit of production ☐ Other (specify): _____

- 14** Enter the number of participants on whose behalf no contributions were made by an employer as an employer of the participant for:

a The current year	14a	
b The plan year immediately preceding the current plan year	14b	
c The second preceding plan year	14c	

- 15** Enter the ratio of the number of participants under the plan on whose behalf no employer had an obligation to make an employer contribution during the current plan year to:

a The corresponding number for the plan year immediately preceding the current plan year	15a	
b The corresponding number for the second preceding plan year	15b	

- 16** Information with respect to any employers who withdrew from the plan during the preceding plan year:

a Enter the number of employers who withdrew during the preceding plan year	16a	
b If item 16a is greater than 0, enter the aggregate amount of withdrawal liability assessed or estimated to be assessed against such withdrawn employers	16b	

- 17** If assets and liabilities from another plan have been transferred to or merged with this plan during the plan year, check box and see instructions regarding supplemental information to be included as an attachment. ☐

Part VI Additional Information for Single-Employer and Multiemployer Defined Benefit Pension Plans

- 18** If any liabilities to participants or their beneficiaries under the plan as of the end of the plan year consist (in whole or in part) of liabilities to such participants and beneficiaries under two or more pension plans as of immediately before such plan year, check box and see instructions regarding supplemental information to be included as an attachment ☐

- 19** If the total number of participants is 1,000 or more, complete items (a) through (c)

a Enter the percentage of plan assets held as:
 Stock: _____% Investment-Grade Debt: _____% High-Yield Debt: _____% Real Estate: _____% Other: _____%

b Provide the average duration of the combined investment-grade and high-yield debt:
☐ 0-3 years ☐ 3-6 years ☐ 6-9 years ☐ 9-12 years ☐ 12-15 years ☐ 15-18 years ☐ 18-21 years ☐ 21 years or more

c What duration measure was used to calculate item 19(b)?
☐ Effective duration ☐ Macaulay duration ☐ Modified duration ☐ Other (specify): _____

**ICE INDUSTRIES, INC. 401(k)
FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES
WITH INDEPENDENT AUDITORS' REPORT**

**DECEMBER 31, 2009 AND 2008
AND FOR THE YEAR ENDED DECEMBER 31, 2009**

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GILMORE, JASION & MAHLER, LTD

INDEPENDENT AUDITORS' REPORT

Plan Administrator
Ice Industries, Inc. 401(k)
Toledo, Ohio

We were engaged to audit the accompanying statements of net assets available for benefits of Ice Industries, Inc. 401(k) (the Plan) as of December 31, 2009 and 2008, and the related statement of changes in net assets available for benefits for the year ended December 31, 2009, and the supplemental schedule of delinquent participant contributions and schedule of assets (held at end of year). These financial statements and supplemental schedules are the responsibility of the Plan's management.

As permitted by 29 CFR 2520.103-8 of the United States Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the Plan Administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in Note 3, which was certified by PNC Bank, N.A., the trustee of the Plan, except for comparing the information with the related information included in the financial statements and supplemental schedules. We have been informed by the Plan Administrator that the trustee holds the Plan's investment assets and executes investment transactions. As disclosed in Note 3 the Plan Administrator has obtained certification from the trustee regarding the completeness and accuracy of the investment information provided to the Plan Administrator by the trustee as of December 31, 2009 and 2008 and for the year ended December 31, 2009.

Because of the significance of the information we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedules taken as a whole. The form and content of the information included in the financial statements and supplemental schedules, other than that derived from the information certified by the trustee has been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the United States Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

Gilmore, Jasion & Mahler, LTD

October 7, 2010

ICE INDUSTRIES, INC. 401(k)
STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS
December 31, 2009 and 2008

	<u>2009</u>	<u>2008</u>
Assets		
Participant directed investments, at fair value:		
Mutual funds	\$ 3,885,127	\$ 3,379,102
Common trust funds	397,888	372,838
Participant loans	134,405	111,742
Total investments, at fair value	<u>4,417,420</u>	<u>3,863,682</u>
Non-interest bearing cash	0	6
Contributions receivable:		
Participant	16,030	11,292
Employer	4,092	4,092
Total contributions receivable	<u>20,122</u>	<u>15,384</u>
Total assets	4,437,542	3,879,072
Liabilities - excess contributions and other	<u>0</u>	<u>16,052</u>
Net assets available for benefits, fair value	4,437,542	3,863,020
Adjustment from fair value to contract value for fully benefit-responsive investment contract	<u>1,000</u>	<u>14,820</u>
Net assets available for plan benefits	<u><u>\$ 4,438,542</u></u>	<u><u>\$ 3,877,840</u></u>

The accompanying notes are an integral part of these financial statements.

ICE INDUSTRIES, INC. 401(k)
STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
For the Year Ended December 31, 2009

Additions to net assets attributable to:

Contributions:

Participant	\$ 375,617
Employer	22,865
Total contributions	<u>398,482</u>

Investment income:

Appreciation in fair value of investments	695,027
Dividends and interest	47,515
Total investment income	<u>742,542</u>
Total additions	<u>1,141,024</u>

Deductions from net assets attributable to:

Retirement benefits and withdrawals	572,479
Corrective distributions	7,838
Administrative and other expenses	5
Total deductions	<u>580,322</u>

Net increase 560,702

Net assets available for plan benefits

Beginning of year	<u>3,877,840</u>
End of year	<u><u>\$ 4,438,542</u></u>

The accompanying notes are an integral part of these financial statements.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS
December 31, 2009 and 2008

Note 1—Description of Plan

The following description of the Ice Industries, Inc. 401(k) (the Plan) is provided for general information purposes only. Participants should refer to the plan agreement and plan amendments for more complete information.

General

The Plan is a defined contribution plan covering substantially all employees of the subsidiaries of Ice Industries, Inc. (the Company), except employees covered by a collective bargaining agreement (union employees). The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

Contributions

Participants may elect a percentage reduction in compensation, subject to Internal Revenue Service limitations, which may be contributed to the Plan on a pretax basis as designated by the employee. Matching contributions for employees of the Company are provided at the discretion of the Company. The matching contribution equaled 50% of the first 6% that the participant contributed to the Plan. Effective February 1, 2009 the Company suspended its matching contribution for all locations with the exception of the Ronfeldt union employees. All new employees are automatically enrolled in the Plan.

Vesting

Participants are immediately vested in their voluntary contributions plus actual earnings thereon. Participants are vested in the employer contributions over a six year-period as described in the table below:

1 year of service	0%
2 years of service	20%
3 years of service	40%
4 years of service	60%
5 years of service	80%
6 years of service	100%

Plan disbursement and withdrawals

Upon termination of service due to death, disability, or retirement, a participant may elect to receive a lump-sum payment equal to the value of the participant's vested interest in his or her account. If employment is terminated for any reason other than those mentioned above, a participant will only be entitled to the portion of the employer account that is vested.

Forfeitures

Forfeited balances of terminated participant accounts are used to offset administrative expenses and supplement employer contributions. Unused forfeitures at December 31, 2009 and 2008 were \$70,730 and \$36,612, respectively.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 1—Description of Plan—continued

Participant Loans

Participants may borrow the lesser of 50 percent of the fair market value of the vested account balance or \$50,000. The interest rate is established based on the prime rate. The loan repayment schedule can be no longer than 60 months except if the loan is for the purpose of acquiring any house, apartment, condominium or mobile home that is to be used as the principal residence of the participant. The Plan Administrator will determine the term of such loan. Principal and interest is paid ratably through payroll deductions.

Plan termination

Although it has not expressed any intent to do so, the Company has the right to terminate the Plan subject to the provisions of ERISA. In the event of plan termination, participants become 100% vested in their account balances.

Note 2—Summary of significant accounting policies

Basis of accounting

The Plan maintains its records on the accrual basis, whereby income is recognized when earned and expenses are recognized when the obligations are incurred. Benefit payments are recorded when distributed by the Plan.

Contributions

Employee salary deferrals and employer matching contributions are included in income during the period the related salary is earned.

Use of estimates

The preparation of the financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of additions and deductions during the reporting period. Actual results could differ from those estimates.

Administrative costs

The Plan's administrative costs are paid by either the Plan or the Company as provided by the Plan document.

Investment valuation and income recognition

All the assets of the Plan are held and managed by the Trustee. Mutual funds are valued at the net asset value ("NAV") of shares held by the Plan at year end. Share prices/net asset values reported on the Plan Summary Reports for NAV mutual funds are generally obtained from a file feed from the National Securities Clearing Cooperation, and/or directly from the fund house, or a secondary pricing source, such as Interactive Data Corporation. Collective trust funds are valued at share prices/NAVs reported on the Plan Summary Reports for Collective Trust Funds and Stable Value Funds, and are generally obtained directly from the fund house or other investment provider. Participant loans are valued at amortized cost, which approximates fair value. There have been no changes in the methodologies used at December 31, 2009 and 2008.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 2—Summary of significant accounting policies—continued

Investment valuation and income recognition—continued

Financial Accounting Standards Board (FASB) guidance, “Fully Benefit-Responsive Investment Contracts Held by Certain Investment Companies Subject to the AICPA Investment Company Guide” and “Defined-Contribution Health and Welfare and Pension Plans” require that investment contracts held by a defined-contribution plan are to be reported at fair value. However, contract value is the relevant measurement of attribute for that portion of the net assets available for benefits of a defined-contribution plan attributable to fully benefit-responsive investment contracts because contract value is the amount participants would receive if they were to initiate permitted transactions under the terms of the plan.

The Plan invests in the PNC Investment Contract Fund, which is comprised of fully benefit-responsive investment contracts. This investment is recorded valued at fair value and adjusted to contract value. Contract value represents investments at cost plus accrued interest income less amounts withdrawn to pay benefits. The PNC Investment Contract Fund has separately audited financial statements which provide additional information on this fully benefit-responsive investment.

Subsequent events

The Plan has evaluated all events subsequent to the statement of net assets available for plan benefits date of December 31, 2009 through October 7, 2010, which is the date these financial statements were issued, and have determined that there are no subsequent events that are required to be disclosed.

Note 3—Investments

As of December 31, 2009 and 2008, and for the year ended December 31, 2009, the assets of the Plan are held by the trustee, PNC Bank, N.A. (Trustee), and were invested in various mutual funds and a general annuity contract administered by the Trustee.

Financial information included in the financial statements and supplemental schedules regarding investments held by the Plan and the related income is derived from data certified by the Trustee. Such information has not been examined by the independent auditors. Participant accounts are allocated among the investment options as directed by the participants.

Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) Topic 820, “Fair Value Measurements” defines fair value, establishes a framework on measuring fair value, establishes a fair value hierarchy on the quality of inputs used to measure fair value, and enhances disclosure requirements for fair value measurements. The Plan accounts for certain financial assets at fair value under various accounting literature.

In accordance with the standard, the Plan has categorized its financial instruments, based on the priority of the inputs to the valuation technique, into the three-level fair value hierarchy. The fair value hierarchy gives the highest priority to quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3). If the inputs used to measure the financial instruments fall within the different levels of the hierarchy, the categorization is based on the lowest level input that is significant to the fair value measurement of the instrument.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

Financial assets and liabilities recorded on the Statement of Net Assets Available for Benefits are categorized based on the inputs to the valuation techniques as follows:

Level 1. Financial assets and liabilities whose values are based on unadjusted quoted prices for identical assets or liabilities in an active market that the Plan has the ability to access.

Level 2. Financial assets and liabilities whose values are based on quoted prices in markets that are not active or model inputs that are observable either directly or indirectly for substantially the full term of the asset or liability. Level 2 inputs include the following:

- a. Quoted prices for similar assets or liabilities in active markets;
- b. Quoted prices for identical or similar assets or liabilities in non-active markets;
- c. Pricing models whose inputs are observable for substantially the full term of the asset or liability; and
- d. Pricing models whose inputs are derived principally from or corroborated by observable market data through correlation of other means for substantially the full term of the asset or liability.

Level 3. Financial assets and liabilities whose values are based on prices or valuation techniques that require inputs that are both unobservable and significant to the overall fair value measurement. These inputs reflect management's own assumptions about the assumptions a market participant would use in pricing the asset or liability.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies and assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

The following table's presents the Plan's fair value hierarchy for those assets and liabilities measured at fair value on a recurring basis:

Description	Total December 31, 2009	Fair Value Measurements at December 31, 2009 Using		
		Quoted Prices in Active Markets for Identical Assets Level (1)	Significant Other Observable Inputs Level (2)	Significant Unobservable Inputs Level (3)
Mutual Funds	\$ 3,885,127	\$ 3,885,127	\$ 0	\$ 0
Collective Trust Funds	397,888		397,888	
Participant Loans	134,405			134,405
Total investment assets at fair value	<u>\$ 4,417,420</u>	<u>\$ 3,885,127</u>	<u>\$ 397,888</u>	<u>\$ 134,405</u>

Description	Total December 31, 2008	Fair Value Measurements at December 31, 2008 Using		
		Quoted Prices in Active Markets for Identical Assets Level (1)	Significant Other Observable Inputs Level (2)	Significant Unobservable Inputs Level (3)
Mutual Funds	\$ 3,379,102	\$ 3,379,102	\$ 0	\$ 0
Collective Trust Funds	372,838		372,838	
Participant Loans	111,742			111,742
Total investment assets at fair value	<u>\$ 3,863,682</u>	<u>\$ 3,379,102</u>	<u>\$ 372,838</u>	<u>\$ 111,742</u>

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

The following table presents a reconciliation of beginning and ending balances of Level 3 inputs as of December 31, 2009 and 2008:

	Participant Loans	
	2009	2008
Beginning balance	\$ 111,742	\$ 54,726
Issuance of new loans	77,760	103,951
Loan payments	(55,097)	(46,935)
Ending balance	<u>\$ 134,405</u>	<u>\$ 111,742</u>
The amount of total gains or losses for the period attributable to the change in unrealized gains or losses relating to assets still held at the reporting date	<u>\$ 0</u>	<u>\$ 0</u>

Additionally, the Plan invests in certain funds managed by the current Trustee and the former Custodian.

The individual investments that represent 5% or more of the Plan's net assets are summarized below.

	December 31,	
	2009	2008
Mutual funds:		
PNC Vested Interest Money Market	\$ 534,650	\$ 662,665
American Funds European Growth R3	414,971	290,677
Fidelity New Insight	400,714	306,906
American Funds Growth R3	399,115	266,343
PNC Vested Interest Federal Total Return	300,968	330,816
ING VP Index Plus Small CapFund	267,267	218,015
Common trust funds		
PNC Investment contract	397,888	387,658

The Plan's investments (including investments bought, sold, and held during the year) have appreciated (depreciated) in fair value for the year ended December 31, 2009 as follows:

Mutual funds	\$ 685,591
Common trust funds	9,436
Net appreciation in fair value of investments	<u>\$ 695,027</u>

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 4—Tax status of the Plan

The Plan is a prototype plan. The prototype plan has received a favorable opinion letter, dated March 31, 2008, from the Internal Revenue Service (IRS) that the prototype plan as designed qualifies for federal income tax-exempt status. The Plan has not individually sought a determination from the IRS on its qualification status. Therefore, no provision for income taxes has been included in the Plan's financial statements.

Note 5—Risks and uncertainties

The Plan invests in various investment securities. Investment securities are exposed to various risks such as interest rate, market, and credit. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that the changes in the values of investment securities will occur in a near term that such changes could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits.

SUPPLEMENTAL SCHEDULES

ICE INDUSTRIES, INC. 401(k)
SCHEDULE H, LINE 4(a) - SCHEDULE OF DELINQUENT PARTICIPANT CONTRIBUTIONS
Employee Identification No. 34-1894378 Plan No. 001
December 31, 2009

Participant Contributions Transferred Late to the Plan	Total that Constitutes Nonexempt Prohibited Transactions				Total Fully Corrected Under VFCP and PTE 2002-51	
	Contributions Not Corrected	Contributions Corrected Outside VFCP	Contributions Pending Correction in VFCP			
\$ 11,292	\$ 11,292	\$ 0	\$ 0	\$		0

ICE INDUSTRIES, INC. 401(k)
SCHEDULE H, LINE 4(i) - SCHEDULE OF ASSETS (HELD AT END OF YEAR)
Employee Identification No. 34-1894378 Plan No. 001
December 31, 2009

(a)/(b) Identity of Issue, Borrower, Lessor or Similar Party	(c) Description of Investment Including Maturity Date, Rate of Interest, Collateral, Par or Maturity Value	(d) Cost	(e) Current Value
	Mutual funds		
* PNC Vested Interest	Money Market Fund	**	\$ 534,650
American Funds	EuroPacific Growth Fund R3	**	414,971
Fidelity	Advisors New Insight	**	400,714
American Funds	Growth Fund of America R3	**	399,115
* PNC Vested Interest	Federated Total Return Bond Fund/Instl Serv	**	300,968
ING Life Insurance and Annuity Co.	VP Index Plus Small CapFund A	**	267,267
Blackrock	Money Market/Inv A	**	180,698
American Century	Stgc Alloc Aggressive/Adv	**	163,054
American Century	Large Co Value	**	160,395
American Century	Stgc Alloc Moderate/Adv	**	155,838
American Century	Stgc Alloc Conservative/Adv	**	145,119
Davis	New York Venture Fund	**	140,873
T. Rowe Price	Retirement 2020 R	**	104,728
Janus	Overseas Fund	**	83,982
T. Rowe Price	Retirement 2030 R	**	75,869
T. Rowe Price	Retirement 2010 R	**	48,344
T. Rowe Price	Retirement 2050 R	**	47,029
Janus	Enterprise Fund	**	45,462
Baron	Growth Fund	**	42,479
T. Rowe Price	Retirement 2040 R	**	42,204
Artisan	Artisan Mid Cap Value Fund	**	40,817
T. Rowe Price	International Growth & Income Fund/F	**	36,400
Third Avenue	Third Avenue Small-Cap Value Fund	**	30,867
ING Life Insurance and Annuity Co.	VP Index Plus Mid Cap Fund A	**	23,284
			3,885,127
	Common trust funds		
* PNC Vested Interest	PNC Investment Contract	**	397,888
	Participant Loans		
* Plan Participants	Interest ranging from 4.25% - 7.75%	0	134,405
	Total Investments		\$ 4,417,420

* Party in interest

** Cost is not a required disclosure on participant directed investments.



CERTIFICATION FOR ENCLOSURE WITH FORM 5500

We certify that pursuant to Department of Labor Regulations §2520.103-9(c) the Fund Trustee will file with the Department of Labor on or before the filing due date a Form 5500 for the 2009 calendar year for the collective trusts listed below. This filing will include an annual Statement of Assets and Liabilities for the following PNC Bank Collective Investment Trust Funds held by Employee Benefits plans:

FUND	TRUST NO.	FUND EIN
PNC EBT Investment Contract Fund	1028398	25-1197336

We also certify that we will furnish, to the Administrator or Sponsor for each participating plan, a copy of the most recent Statement of Assets and Liabilities of the above funds.

PNC Bank, N.A.

I, Bonnie Fawcett, Vice President, certify the accuracy and completeness of the information provided in this certification and in the above-described Statement of Assets and Liabilities.

Sincerely,

Bonnie Fawcett
Vice President
Director, Vested Interest

The PNC Financial Services Group, Inc. ("PNC") provides investment and wealth management, fiduciary services, non-discretionary defined contribution plan services and investment options, FDIC-insured banking products and services and lending and borrowing of funds through its subsidiaries, PNC Bank, National Association, PNC Bank, Delaware and National City Bank, which are Members FDIC. PNC does not provide legal, tax or accounting advice. PNC does not provide investment advice to Vested Interest plan sponsors or participants.

Investments: Not FDIC Insured. No Bank Guarantee. May Lose Value.

**ICE INDUSTRIES, INC. 401(k)
FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES
WITH INDEPENDENT AUDITORS' REPORT**

**DECEMBER 31, 2009 AND 2008
AND FOR THE YEAR ENDED DECEMBER 31, 2009**

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GILMORE, JASION & MAHLER, LTD

INDEPENDENT AUDITORS' REPORT

Plan Administrator
Ice Industries, Inc. 401(k)
Toledo, Ohio

We were engaged to audit the accompanying statements of net assets available for benefits of Ice Industries, Inc. 401(k) (the Plan) as of December 31, 2009 and 2008, and the related statement of changes in net assets available for benefits for the year ended December 31, 2009, and the supplemental schedule of delinquent participant contributions and schedule of assets (held at end of year). These financial statements and supplemental schedules are the responsibility of the Plan's management.

As permitted by 29 CFR 2520.103-8 of the United States Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the Plan Administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in Note 3, which was certified by PNC Bank, N.A., the trustee of the Plan, except for comparing the information with the related information included in the financial statements and supplemental schedules. We have been informed by the Plan Administrator that the trustee holds the Plan's investment assets and executes investment transactions. As disclosed in Note 3 the Plan Administrator has obtained certification from the trustee regarding the completeness and accuracy of the investment information provided to the Plan Administrator by the trustee as of December 31, 2009 and 2008 and for the year ended December 31, 2009.

Because of the significance of the information we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedules taken as a whole. The form and content of the information included in the financial statements and supplemental schedules, other than that derived from the information certified by the trustee has been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the United States Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

Gilmore, Jasion & Mahler, LTD

October 7, 2010

ICE INDUSTRIES, INC. 401(k)
STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS
December 31, 2009 and 2008

	<u>2009</u>	<u>2008</u>
Assets		
Participant directed investments, at fair value:		
Mutual funds	\$ 3,885,127	\$ 3,379,102
Common trust funds	397,888	372,838
Participant loans	134,405	111,742
Total investments, at fair value	<u>4,417,420</u>	<u>3,863,682</u>
Non-interest bearing cash	0	6
Contributions receivable:		
Participant	16,030	11,292
Employer	4,092	4,092
Total contributions receivable	<u>20,122</u>	<u>15,384</u>
Total assets	4,437,542	3,879,072
Liabilities - excess contributions and other	<u>0</u>	<u>16,052</u>
Net assets available for benefits, fair value	4,437,542	3,863,020
Adjustment from fair value to contract value for fully benefit-responsive investment contract	<u>1,000</u>	<u>14,820</u>
Net assets available for plan benefits	<u><u>\$ 4,438,542</u></u>	<u><u>\$ 3,877,840</u></u>

The accompanying notes are an integral part of these financial statements.

ICE INDUSTRIES, INC. 401(k)
STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
For the Year Ended December 31, 2009

Additions to net assets attributable to:

Contributions:

Participant	\$ 375,617
Employer	22,865
Total contributions	<u>398,482</u>

Investment income:

Appreciation in fair value of investments	695,027
Dividends and interest	47,515
Total investment income	<u>742,542</u>
Total additions	<u>1,141,024</u>

Deductions from net assets attributable to:

Retirement benefits and withdrawals	572,479
Corrective distributions	7,838
Administrative and other expenses	5
Total deductions	<u>580,322</u>

Net increase 560,702

Net assets available for plan benefits

Beginning of year	<u>3,877,840</u>
End of year	<u><u>\$ 4,438,542</u></u>

The accompanying notes are an integral part of these financial statements.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS
December 31, 2009 and 2008

Note 1—Description of Plan

The following description of the Ice Industries, Inc. 401(k) (the Plan) is provided for general information purposes only. Participants should refer to the plan agreement and plan amendments for more complete information.

General

The Plan is a defined contribution plan covering substantially all employees of the subsidiaries of Ice Industries, Inc. (the Company), except employees covered by a collective bargaining agreement (union employees). The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

Contributions

Participants may elect a percentage reduction in compensation, subject to Internal Revenue Service limitations, which may be contributed to the Plan on a pretax basis as designated by the employee. Matching contributions for employees of the Company are provided at the discretion of the Company. The matching contribution equaled 50% of the first 6% that the participant contributed to the Plan. Effective February 1, 2009 the Company suspended its matching contribution for all locations with the exception of the Ronfeldt union employees. All new employees are automatically enrolled in the Plan.

Vesting

Participants are immediately vested in their voluntary contributions plus actual earnings thereon. Participants are vested in the employer contributions over a six year-period as described in the table below:

1 year of service	0%
2 years of service	20%
3 years of service	40%
4 years of service	60%
5 years of service	80%
6 years of service	100%

Plan disbursement and withdrawals

Upon termination of service due to death, disability, or retirement, a participant may elect to receive a lump-sum payment equal to the value of the participant's vested interest in his or her account. If employment is terminated for any reason other than those mentioned above, a participant will only be entitled to the portion of the employer account that is vested.

Forfeitures

Forfeited balances of terminated participant accounts are used to offset administrative expenses and supplement employer contributions. Unused forfeitures at December 31, 2009 and 2008 were \$70,730 and \$36,612, respectively.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 1—Description of Plan—continued

Participant Loans

Participants may borrow the lesser of 50 percent of the fair market value of the vested account balance or \$50,000. The interest rate is established based on the prime rate. The loan repayment schedule can be no longer than 60 months except if the loan is for the purpose of acquiring any house, apartment, condominium or mobile home that is to be used as the principal residence of the participant. The Plan Administrator will determine the term of such loan. Principal and interest is paid ratably through payroll deductions.

Plan termination

Although it has not expressed any intent to do so, the Company has the right to terminate the Plan subject to the provisions of ERISA. In the event of plan termination, participants become 100% vested in their account balances.

Note 2—Summary of significant accounting policies

Basis of accounting

The Plan maintains its records on the accrual basis, whereby income is recognized when earned and expenses are recognized when the obligations are incurred. Benefit payments are recorded when distributed by the Plan.

Contributions

Employee salary deferrals and employer matching contributions are included in income during the period the related salary is earned.

Use of estimates

The preparation of the financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of additions and deductions during the reporting period. Actual results could differ from those estimates.

Administrative costs

The Plan's administrative costs are paid by either the Plan or the Company as provided by the Plan document.

Investment valuation and income recognition

All the assets of the Plan are held and managed by the Trustee. Mutual funds are valued at the net asset value ("NAV") of shares held by the Plan at year end. Share prices/net asset values reported on the Plan Summary Reports for NAV mutual funds are generally obtained from a file feed from the National Securities Clearing Cooperation, and/or directly from the fund house, or a secondary pricing source, such as Interactive Data Corporation. Collective trust funds are valued at share prices/NAVs reported on the Plan Summary Reports for Collective Trust Funds and Stable Value Funds, and are generally obtained directly from the fund house or other investment provider. Participant loans are valued at amortized cost, which approximates fair value. There have been no changes in the methodologies used at December 31, 2009 and 2008.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 2—Summary of significant accounting policies—continued

Investment valuation and income recognition—continued

Financial Accounting Standards Board (FASB) guidance, “Fully Benefit-Responsive Investment Contracts Held by Certain Investment Companies Subject to the AICPA Investment Company Guide” and “Defined-Contribution Health and Welfare and Pension Plans” require that investment contracts held by a defined-contribution plan are to be reported at fair value. However, contract value is the relevant measurement of attribute for that portion of the net assets available for benefits of a defined-contribution plan attributable to fully benefit-responsive investment contracts because contract value is the amount participants would receive if they were to initiate permitted transactions under the terms of the plan.

The Plan invests in the PNC Investment Contract Fund, which is comprised of fully benefit-responsive investment contracts. This investment is recorded valued at fair value and adjusted to contract value. Contract value represents investments at cost plus accrued interest income less amounts withdrawn to pay benefits. The PNC Investment Contract Fund has separately audited financial statements which provide additional information on this fully benefit-responsive investment.

Subsequent events

The Plan has evaluated all events subsequent to the statement of net assets available for plan benefits date of December 31, 2009 through October 7, 2010, which is the date these financial statements were issued, and have determined that there are no subsequent events that are required to be disclosed.

Note 3—Investments

As of December 31, 2009 and 2008, and for the year ended December 31, 2009, the assets of the Plan are held by the trustee, PNC Bank, N.A. (Trustee), and were invested in various mutual funds and a general annuity contract administered by the Trustee.

Financial information included in the financial statements and supplemental schedules regarding investments held by the Plan and the related income is derived from data certified by the Trustee. Such information has not been examined by the independent auditors. Participant accounts are allocated among the investment options as directed by the participants.

Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) Topic 820, “Fair Value Measurements” defines fair value, establishes a framework on measuring fair value, establishes a fair value hierarchy on the quality of inputs used to measure fair value, and enhances disclosure requirements for fair value measurements. The Plan accounts for certain financial assets at fair value under various accounting literature.

In accordance with the standard, the Plan has categorized its financial instruments, based on the priority of the inputs to the valuation technique, into the three-level fair value hierarchy. The fair value hierarchy gives the highest priority to quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3). If the inputs used to measure the financial instruments fall within the different levels of the hierarchy, the categorization is based on the lowest level input that is significant to the fair value measurement of the instrument.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

Financial assets and liabilities recorded on the Statement of Net Assets Available for Benefits are categorized based on the inputs to the valuation techniques as follows:

Level 1. Financial assets and liabilities whose values are based on unadjusted quoted prices for identical assets or liabilities in an active market that the Plan has the ability to access.

Level 2. Financial assets and liabilities whose values are based on quoted prices in markets that are not active or model inputs that are observable either directly or indirectly for substantially the full term of the asset or liability. Level 2 inputs include the following:

- a. Quoted prices for similar assets or liabilities in active markets;
- b. Quoted prices for identical or similar assets or liabilities in non-active markets;
- c. Pricing models whose inputs are observable for substantially the full term of the asset or liability; and
- d. Pricing models whose inputs are derived principally from or corroborated by observable market data through correlation of other means for substantially the full term of the asset or liability.

Level 3. Financial assets and liabilities whose values are based on prices or valuation techniques that require inputs that are both unobservable and significant to the overall fair value measurement. These inputs reflect management's own assumptions about the assumptions a market participant would use in pricing the asset or liability.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies and assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

The following table's presents the Plan's fair value hierarchy for those assets and liabilities measured at fair value on a recurring basis:

Description	Total December 31, 2009	Fair Value Measurements at December 31, 2009 Using		
		Quoted Prices in Active Markets for Identical Assets Level (1)	Significant Other Observable Inputs Level (2)	Significant Unobservable Inputs Level (3)
Mutual Funds	\$ 3,885,127	\$ 3,885,127	\$ 0	\$ 0
Collective Trust Funds	397,888		397,888	
Participant Loans	134,405			134,405
Total investment assets at fair value	<u>\$ 4,417,420</u>	<u>\$ 3,885,127</u>	<u>\$ 397,888</u>	<u>\$ 134,405</u>

Description	Total December 31, 2008	Fair Value Measurements at December 31, 2008 Using		
		Quoted Prices in Active Markets for Identical Assets Level (1)	Significant Other Observable Inputs Level (2)	Significant Unobservable Inputs Level (3)
Mutual Funds	\$ 3,379,102	\$ 3,379,102	\$ 0	\$ 0
Collective Trust Funds	372,838		372,838	
Participant Loans	111,742			111,742
Total investment assets at fair value	<u>\$ 3,863,682</u>	<u>\$ 3,379,102</u>	<u>\$ 372,838</u>	<u>\$ 111,742</u>

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

The following table presents a reconciliation of beginning and ending balances of Level 3 inputs as of December 31, 2009 and 2008:

	Participant Loans	
	2009	2008
Beginning balance	\$ 111,742	\$ 54,726
Issuance of new loans	77,760	103,951
Loan payments	(55,097)	(46,935)
Ending balance	<u>\$ 134,405</u>	<u>\$ 111,742</u>
The amount of total gains or losses for the period attributable to the change in unrealized gains or losses relating to assets still held at the reporting date	<u>\$ 0</u>	<u>\$ 0</u>

Additionally, the Plan invests in certain funds managed by the current Trustee and the former Custodian.

The individual investments that represent 5% or more of the Plan's net assets are summarized below.

	December 31,	
	2009	2008
Mutual funds:		
PNC Vested Interest Money Market	\$ 534,650	\$ 662,665
American Funds European Growth R3	414,971	290,677
Fidelity New Insight	400,714	306,906
American Funds Growth R3	399,115	266,343
PNC Vested Interest Federal Total Return	300,968	330,816
ING VP Index Plus Small CapFund	267,267	218,015
Common trust funds		
PNC Investment contract	397,888	387,658

The Plan's investments (including investments bought, sold, and held during the year) have appreciated (depreciated) in fair value for the year ended December 31, 2009 as follows:

Mutual funds	\$ 685,591
Common trust funds	9,436
Net appreciation in fair value of investments	<u>\$ 695,027</u>

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 4—Tax status of the Plan

The Plan is a prototype plan. The prototype plan has received a favorable opinion letter, dated March 31, 2008, from the Internal Revenue Service (IRS) that the prototype plan as designed qualifies for federal income tax-exempt status. The Plan has not individually sought a determination from the IRS on its qualification status. Therefore, no provision for income taxes has been included in the Plan's financial statements.

Note 5—Risks and uncertainties

The Plan invests in various investment securities. Investment securities are exposed to various risks such as interest rate, market, and credit. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that the changes in the values of investment securities will occur in a near term that such changes could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits.

SUPPLEMENTAL SCHEDULES

ICE INDUSTRIES, INC. 401(k)
SCHEDULE H, LINE 4(a) - SCHEDULE OF DELINQUENT PARTICIPANT CONTRIBUTIONS
Employee Identification No. 34-1894378 Plan No. 001
December 31, 2009

Participant Contributions Transferred Late to the Plan	Total that Constitutes Nonexempt Prohibited Transactions			Total Fully Corrected Under VFCP and PTE 2002-51
	Contributions Not Corrected	Contributions Corrected Outside VFCP	Contributions Pending Correction in VFCP	
\$ 11,292	\$ 11,292	\$ 0	\$ 0	\$ 0

ICE INDUSTRIES, INC. 401(k)
SCHEDULE H, LINE 4(i) - SCHEDULE OF ASSETS (HELD AT END OF YEAR)
Employee Identification No. 34-1894378 Plan No. 001
December 31, 2009

(a)/(b) Identity of Issue, Borrower, Lessor or Similar Party	(c) Description of Investment Including Maturity Date, Rate of Interest, Collateral, Par or Maturity Value	(d) Cost	(e) Current Value
	Mutual funds		
* PNC Vested Interest	Money Market Fund	**	\$ 534,650
American Funds	EuroPacific Growth Fund R3	**	414,971
Fidelity	Advisors New Insight	**	400,714
American Funds	Growth Fund of America R3	**	399,115
* PNC Vested Interest	Federated Total Return Bond Fund/Instl Serv	**	300,968
ING Life Insurance and Annuity Co.	VP Index Plus Small CapFund A	**	267,267
Blackrock	Money Market/Inv A	**	180,698
American Century	Stgc Alloc Aggressive/Adv	**	163,054
American Century	Large Co Value	**	160,395
American Century	Stgc Alloc Moderate/Adv	**	155,838
American Century	Stgc Alloc Conservative/Adv	**	145,119
Davis	New York Venture Fund	**	140,873
T. Rowe Price	Retirement 2020 R	**	104,728
Janus	Overseas Fund	**	83,982
T. Rowe Price	Retirement 2030 R	**	75,869
T. Rowe Price	Retirement 2010 R	**	48,344
T. Rowe Price	Retirement 2050 R	**	47,029
Janus	Enterprise Fund	**	45,462
Baron	Growth Fund	**	42,479
T. Rowe Price	Retirement 2040 R	**	42,204
Artisan	Artisan Mid Cap Value Fund	**	40,817
T. Rowe Price	International Growth & Income Fund/F	**	36,400
Third Avenue	Third Avenue Small-Cap Value Fund	**	30,867
ING Life Insurance and Annuity Co.	VP Index Plus Mid Cap Fund A	**	23,284
			3,885,127
	Common trust funds		
* PNC Vested Interest	PNC Investment Contract	**	397,888
	Participant Loans		
* Plan Participants	Interest ranging from 4.25% - 7.75%	0	134,405
	Total Investments		\$ 4,417,420

* Party in interest

** Cost is not a required disclosure on participant directed investments.

**ICE INDUSTRIES, INC. 401(k)
FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES
WITH INDEPENDENT AUDITORS' REPORT**

**DECEMBER 31, 2009 AND 2008
AND FOR THE YEAR ENDED DECEMBER 31, 2009**

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INDEPENDENT AUDITORS' REPORT

Plan Administrator
Ice Industries, Inc. 401(k)
Toledo, Ohio

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As permitted by 29 CFR 2520.103-8 of the United States Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the Plan Administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in Note 3, which was certified by PNC Bank, N.A., the trustee of the Plan, except for comparing the information with the related information included in the financial statements and supplemental schedules. We have been informed by the Plan Administrator that the trustee holds the Plan's investment assets and executes investment transactions. As disclosed in Note 3 the Plan Administrator has obtained certification from the trustee regarding the completeness and accuracy of the investment information provided to the Plan Administrator by the trustee as of December 31, 2009 and 2008 and for the year ended December 31, 2009.

Because of the significance of the information we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedules taken as a whole. The form and content of the information included in the financial statements and supplemental schedules, other than that derived from the information certified by the trustee has been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the United States Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

Gilmore, Jasion & Mahler, LTD

October 7, 2010

ICE INDUSTRIES, INC. 401(k)
STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS
December 31, 2009 and 2008

	<u>2009</u>	<u>2008</u>
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The accompanying notes are an integral part of these financial statements.

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STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
For the Year Ended December 31, 2009

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Net increase 560,702

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Beginning of year	<u>3,877,840</u>
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December 31, 2009 and 2008

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ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 1—Description of Plan—continued

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Investment valuation and income recognition

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ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 2—Summary of significant accounting policies—continued

Investment valuation and income recognition—continued

Financial Accounting Standards Board (FASB) guidance, “Fully Benefit-Responsive Investment Contracts Held by Certain Investment Companies Subject to the AICPA Investment Company Guide” and “Defined-Contribution Health and Welfare and Pension Plans” require that investment contracts held by a defined-contribution plan are to be reported at fair value. However, contract value is the relevant measurement of attribute for that portion of the net assets available for benefits of a defined-contribution plan attributable to fully benefit-responsive investment contracts because contract value is the amount participants would receive if they were to initiate permitted transactions under the terms of the plan.

The Plan invests in the PNC Investment Contract Fund, which is comprised of fully benefit-responsive investment contracts. This investment is recorded valued at fair value and adjusted to contract value. Contract value represents investments at cost plus accrued interest income less amounts withdrawn to pay benefits. The PNC Investment Contract Fund has separately audited financial statements which provide additional information on this fully benefit-responsive investment.

Subsequent events

The Plan has evaluated all events subsequent to the statement of net assets available for plan benefits date of December 31, 2009 through October 7, 2010, which is the date these financial statements were issued, and have determined that there are no subsequent events that are required to be disclosed.

Note 3—Investments

As of December 31, 2009 and 2008, and for the year ended December 31, 2009, the assets of the Plan are held by the trustee, PNC Bank, N.A. (Trustee), and were invested in various mutual funds and a general annuity contract administered by the Trustee.

Financial information included in the financial statements and supplemental schedules regarding investments held by the Plan and the related income is derived from data certified by the Trustee. Such information has not been examined by the independent auditors. Participant accounts are allocated among the investment options as directed by the participants.

Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) Topic 820, “Fair Value Measurements” defines fair value, establishes a framework on measuring fair value, establishes a fair value hierarchy on the quality of inputs used to measure fair value, and enhances disclosure requirements for fair value measurements. The Plan accounts for certain financial assets at fair value under various accounting literature.

In accordance with the standard, the Plan has categorized its financial instruments, based on the priority of the inputs to the valuation technique, into the three-level fair value hierarchy. The fair value hierarchy gives the highest priority to quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3). If the inputs used to measure the financial instruments fall within the different levels of the hierarchy, the categorization is based on the lowest level input that is significant to the fair value measurement of the instrument.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

Financial assets and liabilities recorded on the Statement of Net Assets Available for Benefits are categorized based on the inputs to the valuation techniques as follows:

Level 1. Financial assets and liabilities whose values are based on unadjusted quoted prices for identical assets or liabilities in an active market that the Plan has the ability to access.

Level 2. Financial assets and liabilities whose values are based on quoted prices in markets that are not active or model inputs that are observable either directly or indirectly for substantially the full term of the asset or liability. Level 2 inputs include the following:

- a. Quoted prices for similar assets or liabilities in active markets;
- b. Quoted prices for identical or similar assets or liabilities in non-active markets;
- c. Pricing models whose inputs are observable for substantially the full term of the asset or liability; and
- d. Pricing models whose inputs are derived principally from or corroborated by observable market data through correlation of other means for substantially the full term of the asset or liability.

Level 3. Financial assets and liabilities whose values are based on prices or valuation techniques that require inputs that are both unobservable and significant to the overall fair value measurement. These inputs reflect management's own assumptions about the assumptions a market participant would use in pricing the asset or liability.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while the Plan believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies and assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

The following table's presents the Plan's fair value hierarchy for those assets and liabilities measured at fair value on a recurring basis:

Description	Total December 31, 2009	Fair Value Measurements at December 31, 2009 Using		
		Quoted Prices in Active Markets for Identical Assets Level (1)	Significant Other Observable Inputs Level (2)	Significant Unobservable Inputs Level (3)
Mutual Funds	\$ 3,885,127	\$ 3,885,127	\$ 0	\$ 0
Collective Trust Funds	397,888		397,888	
Participant Loans	134,405			134,405
Total investment assets at fair value	<u>\$ 4,417,420</u>	<u>\$ 3,885,127</u>	<u>\$ 397,888</u>	<u>\$ 134,405</u>

Description	Total December 31, 2008	Fair Value Measurements at December 31, 2008 Using		
		Quoted Prices in Active Markets for Identical Assets Level (1)	Significant Other Observable Inputs Level (2)	Significant Unobservable Inputs Level (3)
Mutual Funds	\$ 3,379,102	\$ 3,379,102	\$ 0	\$ 0
Collective Trust Funds	372,838		372,838	
Participant Loans	111,742			111,742
Total investment assets at fair value	<u>\$ 3,863,682</u>	<u>\$ 3,379,102</u>	<u>\$ 372,838</u>	<u>\$ 111,742</u>

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

The following table presents a reconciliation of beginning and ending balances of Level 3 inputs as of December 31, 2009 and 2008:

	Participant Loans	
	2009	2008
Beginning balance	\$ 111,742	\$ 54,726
Issuance of new loans	77,760	103,951
Loan payments	(55,097)	(46,935)
Ending balance	<u>\$ 134,405</u>	<u>\$ 111,742</u>
The amount of total gains or losses for the period attributable to the change in unrealized gains or losses relating to assets still held at the reporting date	<u>\$ 0</u>	<u>\$ 0</u>

Additionally, the Plan invests in certain funds managed by the current Trustee and the former Custodian.

The individual investments that represent 5% or more of the Plan's net assets are summarized below.

	December 31,	
	2009	2008
Mutual funds:		
PNC Vested Interest Money Market	\$ 534,650	\$ 662,665
American Funds European Growth R3	414,971	290,677
Fidelity New Insight	400,714	306,906
American Funds Growth R3	399,115	266,343
PNC Vested Interest Federal Total Return	300,968	330,816
ING VP Index Plus Small CapFund	267,267	218,015
Common trust funds		
PNC Investment contract	397,888	387,658

The Plan's investments (including investments bought, sold, and held during the year) have appreciated (depreciated) in fair value for the year ended December 31, 2009 as follows:

Mutual funds	\$ 685,591
Common trust funds	9,436
Net appreciation in fair value of investments	<u>\$ 695,027</u>

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 4—Tax status of the Plan

The Plan is a prototype plan. The prototype plan has received a favorable opinion letter, dated March 31, 2008, from the Internal Revenue Service (IRS) that the prototype plan as designed qualifies for federal income tax-exempt status. The Plan has not individually sought a determination from the IRS on its qualification status. Therefore, no provision for income taxes has been included in the Plan's financial statements.

Note 5—Risks and uncertainties

The Plan invests in various investment securities. Investment securities are exposed to various risks such as interest rate, market, and credit. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that the changes in the values of investment securities will occur in a near term that such changes could materially affect participants' account balances and the amounts reported in the statements of net assets available for benefits.

SUPPLEMENTAL SCHEDULES

ICE INDUSTRIES, INC. 401(k)
SCHEDULE H, LINE 4(a) - SCHEDULE OF DELINQUENT PARTICIPANT CONTRIBUTIONS
Employee Identification No. 34-1894378 Plan No. 001
December 31, 2009

Participant Contributions Transferred Late to the Plan	Total that Constitutes Nonexempt Prohibited Transactions			Total Fully Corrected Under VFCP and PTE 2002-51
	Contributions Not Corrected	Contributions Corrected Outside VFCP	Contributions Pending Correction in VFCP	
\$ 11,292	\$ 11,292	\$ 0	\$ 0	\$ 0

ICE INDUSTRIES, INC. 401(k)
SCHEDULE H, LINE 4(i) - SCHEDULE OF ASSETS (HELD AT END OF YEAR)
Employee Identification No. 34-1894378 Plan No. 001
December 31, 2009

(a)/(b) Identity of Issue, Borrower, Lessor or Similar Party	(c) Description of Investment Including Maturity Date, Rate of Interest, Collateral, Par or Maturity Value	(d) Cost	(e) Current Value
	Mutual funds		
* PNC Vested Interest	Money Market Fund	**	\$ 534,650
American Funds	EuroPacific Growth Fund R3	**	414,971
Fidelity	Advisors New Insight	**	400,714
American Funds	Growth Fund of America R3	**	399,115
* PNC Vested Interest	Federated Total Return Bond Fund/Instl Serv	**	300,968
ING Life Insurance and Annuity Co.	VP Index Plus Small CapFund A	**	267,267
Blackrock	Money Market/Inv A	**	180,698
American Century	Stgc Alloc Aggressive/Adv	**	163,054
American Century	Large Co Value	**	160,395
American Century	Stgc Alloc Moderate/Adv	**	155,838
American Century	Stgc Alloc Conservative/Adv	**	145,119
Davis	New York Venture Fund	**	140,873
T. Rowe Price	Retirement 2020 R	**	104,728
Janus	Overseas Fund	**	83,982
T. Rowe Price	Retirement 2030 R	**	75,869
T. Rowe Price	Retirement 2010 R	**	48,344
T. Rowe Price	Retirement 2050 R	**	47,029
Janus	Enterprise Fund	**	45,462
Baron	Growth Fund	**	42,479
T. Rowe Price	Retirement 2040 R	**	42,204
Artisan	Artisan Mid Cap Value Fund	**	40,817
T. Rowe Price	International Growth & Income Fund/F	**	36,400
Third Avenue	Third Avenue Small-Cap Value Fund	**	30,867
ING Life Insurance and Annuity Co.	VP Index Plus Mid Cap Fund A	**	23,284
			3,885,127
	Common trust funds		
* PNC Vested Interest	PNC Investment Contract	**	397,888
	Participant Loans		
* Plan Participants	Interest ranging from 4.25% - 7.75%	0	134,405
	Total Investments		\$ 4,417,420

* Party in interest

** Cost is not a required disclosure on participant directed investments.

**ICE INDUSTRIES, INC. 401(k)
FINANCIAL STATEMENTS
AND SUPPLEMENTAL SCHEDULES
WITH INDEPENDENT AUDITORS' REPORT**

**DECEMBER 31, 2009 AND 2008
AND FOR THE YEAR ENDED DECEMBER 31, 2009**

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GILMORE, JASION & MAHLER, LTD

INDEPENDENT AUDITORS' REPORT

Plan Administrator
Ice Industries, Inc. 401(k)
Toledo, Ohio

We were engaged to audit the accompanying statements of net assets available for benefits of Ice Industries, Inc. 401(k) (the Plan) as of December 31, 2009 and 2008, and the related statement of changes in net assets available for benefits for the year ended December 31, 2009, and the supplemental schedule of delinquent participant contributions and schedule of assets (held at end of year). These financial statements and supplemental schedules are the responsibility of the Plan's management.

As permitted by 29 CFR 2520.103-8 of the United States Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974, the Plan Administrator instructed us not to perform, and we did not perform, any auditing procedures with respect to the information summarized in Note 3, which was certified by PNC Bank, N.A., the trustee of the Plan, except for comparing the information with the related information included in the financial statements and supplemental schedules. We have been informed by the Plan Administrator that the trustee holds the Plan's investment assets and executes investment transactions. As disclosed in Note 3 the Plan Administrator has obtained certification from the trustee regarding the completeness and accuracy of the investment information provided to the Plan Administrator by the trustee as of December 31, 2009 and 2008 and for the year ended December 31, 2009.

Because of the significance of the information we did not audit, we are unable to, and do not, express an opinion on the accompanying financial statements and supplemental schedules taken as a whole. The form and content of the information included in the financial statements and supplemental schedules, other than that derived from the information certified by the trustee has been audited by us in accordance with auditing standards generally accepted in the United States of America and, in our opinion, are presented in compliance with the United States Department of Labor's Rules and Regulations for Reporting and Disclosure under the Employee Retirement Income Security Act of 1974.

Gilmore, Jasion & Mahler, LTD

October 7, 2010

ICE INDUSTRIES, INC. 401(k)
STATEMENTS OF NET ASSETS AVAILABLE FOR BENEFITS
December 31, 2009 and 2008

	<u>2009</u>	<u>2008</u>
Assets		
Participant directed investments, at fair value:		
Mutual funds	\$ 3,885,127	\$ 3,379,102
Common trust funds	397,888	372,838
Participant loans	134,405	111,742
Total investments, at fair value	<u>4,417,420</u>	<u>3,863,682</u>
Non-interest bearing cash	0	6
Contributions receivable:		
Participant	16,030	11,292
Employer	4,092	4,092
Total contributions receivable	<u>20,122</u>	<u>15,384</u>
Total assets	4,437,542	3,879,072
Liabilities - excess contributions and other	<u>0</u>	<u>16,052</u>
Net assets available for benefits, fair value	4,437,542	3,863,020
Adjustment from fair value to contract value for fully benefit-responsive investment contract	<u>1,000</u>	<u>14,820</u>
Net assets available for plan benefits	<u><u>\$ 4,438,542</u></u>	<u><u>\$ 3,877,840</u></u>

The accompanying notes are an integral part of these financial statements.

ICE INDUSTRIES, INC. 401(k)
STATEMENT OF CHANGES IN NET ASSETS AVAILABLE FOR BENEFITS
For the Year Ended December 31, 2009

Additions to net assets attributable to:

Contributions:

Participant	\$ 375,617
Employer	22,865
Total contributions	<u>398,482</u>

Investment income:

Appreciation in fair value of investments	695,027
Dividends and interest	47,515
Total investment income	<u>742,542</u>
Total additions	<u>1,141,024</u>

Deductions from net assets attributable to:

Retirement benefits and withdrawals	572,479
Corrective distributions	7,838
Administrative and other expenses	5
Total deductions	<u>580,322</u>

Net increase 560,702

Net assets available for plan benefits

Beginning of year	<u>3,877,840</u>
End of year	<u><u>\$ 4,438,542</u></u>

The accompanying notes are an integral part of these financial statements.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS
December 31, 2009 and 2008

Note 1—Description of Plan

The following description of the Ice Industries, Inc. 401(k) (the Plan) is provided for general information purposes only. Participants should refer to the plan agreement and plan amendments for more complete information.

General

The Plan is a defined contribution plan covering substantially all employees of the subsidiaries of Ice Industries, Inc. (the Company), except employees covered by a collective bargaining agreement (union employees). The Plan is subject to the provisions of the Employee Retirement Income Security Act of 1974 (ERISA).

Contributions

Participants may elect a percentage reduction in compensation, subject to Internal Revenue Service limitations, which may be contributed to the Plan on a pretax basis as designated by the employee. Matching contributions for employees of the Company are provided at the discretion of the Company. The matching contribution equaled 50% of the first 6% that the participant contributed to the Plan. Effective February 1, 2009 the Company suspended its matching contribution for all locations with the exception of the Ronfeldt union employees. All new employees are automatically enrolled in the Plan.

Vesting

Participants are immediately vested in their voluntary contributions plus actual earnings thereon. Participants are vested in the employer contributions over a six year-period as described in the table below:

1 year of service	0%
2 years of service	20%
3 years of service	40%
4 years of service	60%
5 years of service	80%
6 years of service	100%

Plan disbursement and withdrawals

Upon termination of service due to death, disability, or retirement, a participant may elect to receive a lump-sum payment equal to the value of the participant's vested interest in his or her account. If employment is terminated for any reason other than those mentioned above, a participant will only be entitled to the portion of the employer account that is vested.

Forfeitures

Forfeited balances of terminated participant accounts are used to offset administrative expenses and supplement employer contributions. Unused forfeitures at December 31, 2009 and 2008 were \$70,730 and \$36,612, respectively.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 1—Description of Plan—continued

Participant Loans

Participants may borrow the lesser of 50 percent of the fair market value of the vested account balance or \$50,000. The interest rate is established based on the prime rate. The loan repayment schedule can be no longer than 60 months except if the loan is for the purpose of acquiring any house, apartment, condominium or mobile home that is to be used as the principal residence of the participant. The Plan Administrator will determine the term of such loan. Principal and interest is paid ratably through payroll deductions.

Plan termination

Although it has not expressed any intent to do so, the Company has the right to terminate the Plan subject to the provisions of ERISA. In the event of plan termination, participants become 100% vested in their account balances.

Note 2—Summary of significant accounting policies

Basis of accounting

The Plan maintains its records on the accrual basis, whereby income is recognized when earned and expenses are recognized when the obligations are incurred. Benefit payments are recorded when distributed by the Plan.

Contributions

Employee salary deferrals and employer matching contributions are included in income during the period the related salary is earned.

Use of estimates

The preparation of the financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of additions and deductions during the reporting period. Actual results could differ from those estimates.

Administrative costs

The Plan's administrative costs are paid by either the Plan or the Company as provided by the Plan document.

Investment valuation and income recognition

All the assets of the Plan are held and managed by the Trustee. Mutual funds are valued at the net asset value ("NAV") of shares held by the Plan at year end. Share prices/net asset values reported on the Plan Summary Reports for NAV mutual funds are generally obtained from a file feed from the National Securities Clearing Cooperation, and/or directly from the fund house, or a secondary pricing source, such as Interactive Data Corporation. Collective trust funds are valued at share prices/NAVs reported on the Plan Summary Reports for Collective Trust Funds and Stable Value Funds, and are generally obtained directly from the fund house or other investment provider. Participant loans are valued at amortized cost, which approximates fair value. There have been no changes in the methodologies used at December 31, 2009 and 2008.

ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 2—Summary of significant accounting policies—continued

Investment valuation and income recognition—continued

Financial Accounting Standards Board (FASB) guidance, “Fully Benefit-Responsive Investment Contracts Held by Certain Investment Companies Subject to the AICPA Investment Company Guide” and “Defined-Contribution Health and Welfare and Pension Plans” require that investment contracts held by a defined-contribution plan are to be reported at fair value. However, contract value is the relevant measurement of attribute for that portion of the net assets available for benefits of a defined-contribution plan attributable to fully benefit-responsive investment contracts because contract value is the amount participants would receive if they were to initiate permitted transactions under the terms of the plan.

The Plan invests in the PNC Investment Contract Fund, which is comprised of fully benefit-responsive investment contracts. This investment is recorded valued at fair value and adjusted to contract value. Contract value represents investments at cost plus accrued interest income less amounts withdrawn to pay benefits. The PNC Investment Contract Fund has separately audited financial statements which provide additional information on this fully benefit-responsive investment.

Subsequent events

The Plan has evaluated all events subsequent to the statement of net assets available for plan benefits date of December 31, 2009 through October 7, 2010, which is the date these financial statements were issued, and have determined that there are no subsequent events that are required to be disclosed.

Note 3—Investments

As of December 31, 2009 and 2008, and for the year ended December 31, 2009, the assets of the Plan are held by the trustee, PNC Bank, N.A. (Trustee), and were invested in various mutual funds and a general annuity contract administered by the Trustee.

Financial information included in the financial statements and supplemental schedules regarding investments held by the Plan and the related income is derived from data certified by the Trustee. Such information has not been examined by the independent auditors. Participant accounts are allocated among the investment options as directed by the participants.

Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) Topic 820, “Fair Value Measurements” defines fair value, establishes a framework on measuring fair value, establishes a fair value hierarchy on the quality of inputs used to measure fair value, and enhances disclosure requirements for fair value measurements. The Plan accounts for certain financial assets at fair value under various accounting literature.

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ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

Financial assets and liabilities recorded on the Statement of Net Assets Available for Benefits are categorized based on the inputs to the valuation techniques as follows:

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Level 2. Financial assets and liabilities whose values are based on quoted prices in markets that are not active or model inputs that are observable either directly or indirectly for substantially the full term of the asset or liability. Level 2 inputs include the following:

- a. Quoted prices for similar assets or liabilities in active markets;
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ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

The following table's presents the Plan's fair value hierarchy for those assets and liabilities measured at fair value on a recurring basis:

Description	Total December 31, 2009	Fair Value Measurements at December 31, 2009 Using		
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Collective Trust Funds	397,888		397,888	
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ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

Note 3—Investments—continued

The following table presents a reconciliation of beginning and ending balances of Level 3 inputs as of December 31, 2009 and 2008:

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	2009	2008
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ICE INDUSTRIES, INC. 401(k)
NOTES TO FINANCIAL STATEMENTS-CONTINUED
December 31, 2009 and 2008

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SCHEDULE H, LINE 4(a) - SCHEDULE OF DELINQUENT PARTICIPANT CONTRIBUTIONS
Employee Identification No. 34-1894378 Plan No. 001
December 31, 2009

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	Contributions Not Corrected	Contributions Corrected Outside VFCP	Contributions Pending Correction in VFCP	
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ICE INDUSTRIES, INC. 401(k)
SCHEDULE H, LINE 4(i) - SCHEDULE OF ASSETS (HELD AT END OF YEAR)
Employee Identification No. 34-1894378 Plan No. 001
December 31, 2009

(a)/(b) Identity of Issue, Borrower, Lessor or Similar Party	(c) Description of Investment Including Maturity Date, Rate of Interest, Collateral, Par or Maturity Value	(d) Cost	(e) Current Value
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American Funds	EuroPacific Growth Fund R3	**	414,971
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T. Rowe Price	Retirement 2010 R	**	48,344
T. Rowe Price	Retirement 2050 R	**	47,029
Janus	Enterprise Fund	**	45,462
Baron	Growth Fund	**	42,479
T. Rowe Price	Retirement 2040 R	**	42,204
Artisan	Artisan Mid Cap Value Fund	**	40,817
T. Rowe Price	International Growth & Income Fund/F	**	36,400
Third Avenue	Third Avenue Small-Cap Value Fund	**	30,867
ING Life Insurance and Annuity Co.	VP Index Plus Mid Cap Fund A	**	23,284
			3,885,127
	Common trust funds		
* PNC Vested Interest	PNC Investment Contract	**	397,888
	Participant Loans		
* Plan Participants	Interest ranging from 4.25% - 7.75%	0	134,405
	Total Investments		\$ 4,417,420

* Party in interest

** Cost is not a required disclosure on participant directed investments.