

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: RULE TITLE:
IT-1.037 State Touring Program

PURPOSE AND EFFECT: The State Touring Program consists of two components: The Artist Roster and Presenter Fee Support. The purpose of this amendment is to establish in rule the most recent guidelines for each component. The Artist Roster Guidelines update eligibility criteria, the application form, panel review and evaluation criteria, and amend materials incorporated by reference. The Presenter Fee Support Guidelines update eligibility criteria, match requirements, the application form, and reporting requirements. The administrative forms used for each component are incorporated by reference.

SUBJECT AREA TO BE ADDRESSED: For the Artist Roster: eligibility criteria, the application form, panel review and evaluation criteria, and amended materials incorporated by reference. For Presenter Fee Support: eligibility criteria, match requirements, the application form, and reporting requirements.

RULEMAKING AUTHORITY: 265.286(1), 265.286(5)(c), 265.286(11) FS.

LAW IMPLEMENTED: 265.286 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, December 12, 2011, 9:30 a.m.

PLACE: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, Room 302A, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:
5E-2.040 Pesticide Active Ingredients Subject
 to Supplemental Registration Fee

PURPOSE AND EFFECT: The Department’s purpose in revising this rule is to achieve compliance with Section 487.041(1)(d), F.S.

SUBJECT AREA TO BE ADDRESSED: Pesticide active ingredients that have a food residue tolerance as established in 40 Code of Federal Regulations, Part 180 and that are subject to a supplemental fee.

RULEMAKING AUTHORITY: 487.041(1)(d) FS.

LAW IMPLEMENTED: 487.041(1)(d) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dr. Dennis F. Howard, Bureau Chief, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Tallahassee, FL 32399-1650, (850)617-7917

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-5.030 Instructional Personnel Assessment
 Systems

PURPOSE AND EFFECT: The purpose of this rule development is to develop procedures for Department of Education review, approval and monitoring of school district systems for personnel evaluation under Section 1012.34, Florida Statutes. Rule revisions will implement the changes to Section 1012.34, Florida Statutes, as prescribed in the Student Success Act (SB 736) of 2011. Changes will include a title change, the inclusion of school administrator evaluation systems, the addition of monitoring requirements, and technical updates to the existing rule to reflect current citations and other conforming language. Please note that this rule was previously numbered 6B-4.010 but has since been transferred to Chapter 6A-5, F.A.C., as shown.

SUBJECT AREA TO BE ADDRESSED: Instructional Personnel and School Administrator Evaluation Systems.

RULEMAKING AUTHORITY: 1001.02, 1012.34 FS.

LAW IMPLEMENTED: 1001.42(18), 1006.281, 1012.12(1)(c), 1012.34, 1012.98 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATES AND TIMES: December 12, 2011, 4:00 p.m. – 6:00 p.m.; December 13, 2011, 4:00 p.m. – 6:00 p.m.; and December 14, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: December 12th – Hillsborough Community College (Brandon Campus), 10414 E. Columbus Drive, Student Services Building, Rooms 208/210, Tampa, Florida; December 13th – Florida State College at Jacksonville (Deerwood Center), 9911 Old Baymeadows Road, Room B1206, Jacksonville, Florida; December 14th – Via conference call: (866)372-5781. Conference ID# is 26735405. The conference call will begin at 10:00 a.m. and last for a minimum of 30 minutes but will conclude after 30 minutes if no additional callers are on the line. Anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 1703, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn S. Hebda, Deputy Chancellor for Educator Quality, Florida Department of Education, 325 West Gaines St., Suite 1502, Tallahassee, FL 32399, (850)245-0509 or Kathy.Hebda@fldoe.org. To submit a comment on this rule development go to <https://app1.fldoe.org/rules/default.aspx>
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-20.023 Jose Marti Scholarship Challenge Grant Fund

PURPOSE AND EFFECT: The purpose of the rule development is to review the governing statute, Section 1009.72, Florida Statutes, and the corresponding language of Rule 6A-20.023, F.A.C., for the elimination of the “double budgeting” reference and the elimination of the requirement to set aside funds in the State Student Financial Assistance Trust Fund for year-out funding of renewing students, both which are not in statute. In addition, there are technical statutory reference numbers and terms to be aligned to statute. The effect will be a rule which is consistent with governing law.

SUBJECT AREA TO BE ADDRESSED: Administrative requirements that are not authorized in Florida Statutes, current priority rankings for distribution of scholarship funds, and language updates to align with Section 1009.72, Florida Statutes.

RULEMAKING AUTHORITY: 1001.02(1), 1009.72(1) FS.

LAW IMPLEMENTED: 1009.40, 1009.72 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Theresa Antworth, Director, State Programs, Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400, (850)410-5185. To request a rule development workshop, please contact Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-20.028 Florida Bright Futures Scholarship Program.

PURPOSE AND EFFECT: The purpose of this rule development is to clarify the governing statutes, Sections 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, and 1009.538, Florida Statutes. This new rule will include recent statutory changes requiring all initial and renewing students to annually file the Free Application for Federal Student Aid (FAFSA), and to clarify the 3-year timeframe from high school graduation to accept an initial award. The effect will be a rule which is consistent with governing law.

SUBJECT AREA TO BE ADDRESSED: Clarify student requirements and administrative procedures authorized in Florida Statutes.

RULEMAKING AUTHORITY: 1001.02(1), 1009.53(3) FS.

LAW IMPLEMENTED: 1009.40, 1009.53, 1009.531, 1009.532, 1009.533, 1009.534, 1009.5341, 1009.535, 1009.536, 1009.538 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Theresa Antworth, Director, State Programs, Office of Student Financial Assistance, Department of Education, 325 West Gaines Street, Suite 1314, Tallahassee, Florida 32399-0400; (850)410-5185. To request a rule development workshop, please contact Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF CORRECTIONS

RULE NOS.: RULE TITLES:
 33-602.220 Administrative Confinement
 33-602.222 Disciplinary Confinement
 PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to: amend Form DC4-650, incorporated by reference in Rule 33-602.220, F.A.C., to state that the form should be placed in an inmate’s infirmary or medical record upon completion of or discharge from observation status; to replace references to “psychologists” and “psychological specialists” with “mental health clinicians” and “mental health specialists,” respectively; to clarify library privileges in administrative confinement; to replace references to “certified research aides” with “certified law clerks”; to clarify uniform requirements in confinement; and to generally clean up form references and amend the language for grammatical accuracy.
 SUBJECT AREA TO BE ADDRESSED: Security Operations.
 RULEMAKING AUTHORITY: 944.09 FS.
 LAW IMPLEMENTED: 20.315, 944.09, 944.34, 945.04 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.220 Administrative Confinement.

(1) Definitions.

(a) No change.

(b) Bureau of Braille and Talking Book Library – ~~refers to~~ the agency that provides books on tape, Braille books, and other auxiliary aids for individuals who, due to a disability, are unable to read books in print.

(c) Central Office ADA Coordinator – ~~refers to~~ the employee responsible for implementing the provisions of Title I and Title II of the Americans with Disabilities Act and Section 504 of the 1973 Rehabilitation Act within the Department.

(d) through (f) No change.

(g) Clinical health care personnel – where used herein, refers to a physician, clinical associate, nurse, correctional medical technician certified ~~Correctional Medical Technician~~

~~Certified~~ (CMTC), mental health clinician ~~psychologist~~, psychology intern, psychology resident, or mental health specialist ~~psychological specialist~~.

(h) Institutional Classification Team (ICT) – where used herein, refers to the team consisting of the warden ~~Warden~~ or assistant warden ~~Assistant Warden~~, classification supervisor ~~Classification Supervisor~~, a correctional officer chief, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing, and inmate status decisions at a facility and for making other recommendations to the State Classification Office (SCO).

(i) State Classification Office (SCO) – ~~refers to~~ a staff member at the central office ~~Central Office~~ level who is responsible for the review of inmate classification decisions. Duties include approving, modifying, or rejecting ICT recommendations.

(j) Security pen – ~~refers to~~ a specially designed flexible ink pen that bends under pressure and has a tip that retracts under excessive pressure.

(k) Senior correctional officer – ~~refers to~~ a staff member with the rank of correctional officer lieutenant or above.

(l) No change.

(m) Institutional Classification Team Docket – ~~refers to~~ the official record of an Institutional Classification Team hearing.

(n) Offender Based Information System (OBIS) – ~~refers to~~ an electronic data system used by the Department of Corrections to record and retrieve offender information.

(o) Major rule violation – where used herein, refers to means any assault, battery, or attempted assault or battery; any intentional lewd or lascivious exhibition in the presence of staff or visitors; any spoken or written threat towards any person; inciting or attempting to incite or participating in any riot, strike, mutinous act, or disturbance; fighting; possession of weapons, ammunition, explosives, or escape paraphernalia; and any escape or escape attempt.

(p) Lewd or Lascivious Exhibition – An inmate commits a lewd or lascivious exhibition when the inmate:

1. Intentionally masturbates;

2. Intentionally exposes the genitals without authorization;

or

3. Intentionally commits any other sexual act that does not involve actual physical or sexual contact with the victim, including, but not limited to, sadomasochistic abuse, sexual bestiality, or the simulation of any act involving sexual activity in the presence of a staff member or volunteer.

(2) Procedures for Placement in Administrative Confinement.

(a) Administrative confinement is a temporary confinement status that may limit conditions and privileges as provided in subsection (5) as a means of promoting the security, order, and effective management of the institution.

Otherwise the treatment of inmates in administrative confinement shall be as near to that of the general population as assignment to administrative confinement shall permit. Any deviations shall be fully documented as set forth in the provisions of this rule.

(b) When a decision is made to place an inmate in administrative confinement, the reason for such placement shall be explained to the inmate and the inmate shall be given an opportunity to present verbal comments on the matter. The inmate shall also be allowed to submit a written statement. Prior to placing the inmate in administrative confinement, the inmate shall be given a pre-confinement health assessment to include a physical and mental health evaluation that shall be documented in the health care record. Inmates shall be weighed upon admission to administrative confinement, at least once a week while in administrative confinement, and upon leaving administrative confinement. The weight of the inmate shall be recorded on Form DC6-229, Daily Record of Special Housing. Form DC6-229 is incorporated by reference in Rule 33-601.800, F.A.C. When an official places an inmate in administrative confinement, this action shall be documented in the electronic classification contact log in OBIS. This entry shall fully state the circumstances surrounding and reasons for placing the inmate in administrative confinement and a summary of the inmate's comments. The reason must correspond with one of the criteria for placement provided in subsection (3) of this rule. This electronic entry shall be completed the same day the inmate is placed into confinement, and will establish the ICT 72-hour review appointment. Any written statements provided by the inmate shall be forwarded to the ICT for their consideration during the forthcoming 72-hour review.

(c) No change.

(3) Reasons for Placement in Administrative Confinement with time limits. Placement of an inmate in administrative confinement is authorized for the following reasons:

(a) through (b) No change.

(c) Inmates shall be placed in administrative confinement pending review of the inmate's request for protection from other inmates; (Rule 33-602.221, F.A.C.). The inmate shall be placed in administrative confinement by a senior correctional officer when the inmate presents a signed written statement alleging that the inmate fears for his safety from other inmates; and that the inmate feels there is no other reasonable alternative open to him. A senior correctional officer shall place an inmate in administrative confinement, pending review for protective management, based on evidence that such a review is necessary and the senior correctional officer determines that no other reasonable alternative is available. The inmate shall be encouraged to provide information and otherwise cooperate with the investigation of the matter. The

protective management process, including the ICT's action, shall be completed within 15 working days from the initial confinement of the inmate.

1. The ~~ICT Institutional Classification Team (ICT)~~ shall complete an OBIS electronic classification contact log entry approving the inmate's continuation in confinement. This entry will initiate an appointment for an investigation to be conducted. The investigator shall enter the results of the investigation in the electronic classification contact log in OBIS; this entry will automatically schedule an ICT review appointment.

2. If the inmate submits a request for release in writing at any time during the ICT review or investigation process, the housing supervisor shall provide the inmate with a Form DC6-203, Protection Waiver/Appeal Decision. Form DC6-203 is incorporated by reference in subsection (11) of this rule. The inmate shall complete Form DC6-203 and return it to the housing supervisor for submission to the ICT along with the inmate's written request.

3. Once the investigation is complete, the ICT shall interview the inmate to determine whether the inmate has a legitimate, verifiable need for protection. The ICT shall review all documentation available concerning the need for protection to include any written statements submitted by the inmate. The inmate's written request for release and ~~Form~~ the DC6-203 will also be reviewed. The following elements shall be considered in determining whether protective management is necessary:

a. through f. No change.

g. Other factors such as physical size, build, and age producing a risk from the general inmate population.

4. The ICT shall make recommendations concerning protective management based on the facts within 15 working days from the date of initial confinement. The ICT's findings and recommendations shall be entered in the electronic classification contact log in OBIS; this entry will automatically schedule an SCO review appointment. Whether the ICT recommends protective management or not, the inmate shall remain in administrative confinement at that facility pending review by the SCO. All non-electronic related documentation shall be made available to the SCO by the ICT. The ~~SCO State Classification Office~~ shall approve, disapprove, or return for additional information the recommendation of the ~~ICT Institutional Classification Team~~.

5. The ~~SCO State Classification Office (SCO)~~ shall determine within five working days whether protection is necessary based upon the investigation and any follow-up they deem appropriate. The SCO shall approve or disapprove placement of the inmate in protective management. The SCO's decision shall be documented in the electronic classification contact log in OBIS. If the SCO determines that a need for protection exists, they shall direct that the inmate ~~shall~~ be placed in a protective management unit or transferred to resolve the inmate's need for protection. If a decision is made

to transfer the inmate for housing in a protective management unit or to resolve the inmate's need for protection at the inmate's current location, the inmate shall be kept in administrative confinement until the transfer is completed. Transfers for protection needs shall be effected within five working days. SCO members are authorized to approve transfers. If the SCO determines that protective management is not necessary, the inmate may appeal this decision directly to the Office of the Secretary pursuant to Rules 33-103.007 and 33-103.011, F.A.C. The inmate shall be notified of the SCO's decision by the ICT. At the time of notification, the inmate shall be asked if he wants to appeal the decision. The inmate's acknowledgement of being informed of the SCO denial and the inmate's decision on whether or not to appeal shall be documented on the electronically produced Notification of Protective Management Disapproval, Form DC6-137, and the electronic contact log. Form DC6-137 is incorporated by reference in subsection (11) of this rule. The inmate shall remain in administrative confinement until the appeal process is complete.

6. No change.

(d) No change.

(e) An investigation, evaluation for change of status, or transfer is pending and the presence of the inmate in the general population might interfere with that investigation or present a danger to the inmate, other inmates, or to the security and order of the institution. An investigating officer shall have the authority to request that the senior correctional officer place the inmate in administrative confinement for this reason and the length of time spent in this status shall not exceed 15 working days unless one 5 working day extension is granted by the ICT. This extension shall be documented on the Daily Record of Special Housing, Form DC6-229. If it is necessary to continue the inmate's confinement beyond this first extension, written authorization must be obtained from the SCO for a 30 day extension. This authorization shall be attached to ~~the~~ Form DC6-229. The SCO shall have the authority to authorize one additional 30 day extension. Examples of circumstances for placing an inmate in administrative confinement for this reason include:

1. No change.

2. Special review against other inmates, disciplinary, program change, or management transfer. Transfers for this reason shall be given priority.

3. through 4. No change.

(f) No change.

(4) Administrative Confinement Facilities.

(a) The number of inmates housed in an administrative confinement cell shall not exceed the number of bunks in the cell. The only exception to this policy is during an emergency situation as declared by the warden or duty warden. The regional director of institutions and the emergency action center in central office shall be advised of the emergency. If the

emergency situation exists in excess of 24 hours, the warden or duty warden must get specific written authorization from the regional director of institutions to continue to house inmates beyond the 24-hour period. Prior to placing inmates in the same cell, the inmates will be interviewed by the housing supervisor to ensure that none of the inmates constitutes ~~constitute~~ a threat to any of the others.

(b) No change.

(c) Prior to placement of an individual in an administrative confinement cell, it shall be thoroughly inspected to ensure that it is in proper order, and the inmate housed in that cell shall then be held responsible for the condition of the cell. Form DC6-221, Cell Inspection, shall be used for this purpose. Form DC6-221 is incorporated by reference in Rule 33-601.800, F.A.C. Routine searches of each cell may be conducted at any time, but will be conducted, at a minimum, each time an inmate is removed from the cell for a shower. All searches shall be documented on Form DC6-229, Daily Record of Special Housing. All inmates will be searched prior to entering the confinement unit and upon departure. All items entering the confinement unit will be thoroughly searched, to include at a minimum, food cart and trays, laundry and linens, and inmate property.

(d) The administrative confinement cells shall be physically separate from other confinement cells, and the cell doors will feature remotely controlled locking devices, whenever possible given the physical design of the facility. The and the number of inmates housed in an administrative confinement cell shall not exceed the number of bunks in the cell. Whenever such location is not possible, physical barriers shall preclude the cross association of those in administrative confinement with those in other ~~status~~ confinement status. Administrative confinement cells shall be built to permit verbal communication and unobstructed observation by the staff. The officers assigned will exercise care to maintain the noise within the unit to a reasonable level. Visual inspections shall be conducted of each cell, to include at a minimum, observations for clothes lines, pictures attached to the walls and lockers, windows or light fixtures covered with paper, clothes or towels, and air and heater vents that have been obstructed. When sufficient natural light is unavailable, interior cell lights shall be left on during day and evening hours.

(5) Conditions and Privileges.

(a) Clothing – Inmates in administrative confinement shall be required to wear the Class A uniform as described in Rule 33-602.101, F.A.C., during waking hours established by the warden or designee and inmates in administrative confinement shall be provided the same clothing and clothing exchange as the general inmate population unless there are facts to suggest that on an individual basis exceptions are necessary for the welfare of the inmate or the security of the institution. In such cases, the exceptions shall be documented on Form DC6-229 and approved by the chief of security. Shower slides may be

substituted for regulation shoes. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to himself or herself or others or to prevent the destruction of property or equipment. If an inmate's clothing is removed, a modesty garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC6-229. Under no circumstances shall an inmate be left without a means to cover himself or herself.

(b) Bedding and ~~Linen linen~~ – bedding and linen for those in administrative confinement shall be issued and exchanged the same as is provided to the general inmate population. Any exceptions shall be based on potential harm to individuals or a threat to the security of the institution. The shift supervisor or the confinement lieutenant must approve the action initially. Such exceptions shall be documented on Form DC6-229, and the ~~chief~~ Chief of ~~security~~ Security shall make the final decision in regard to the appropriateness of the action no later than the next working day following the action.

(c) Personal Property – inmates shall be allowed to retain the same personal property as is permitted general population inmates unless there is a indication of a security problem, in which case removal or denial of any item shall be documented on Form DC6-229. An Inmate Impounded Personal Property List, Form DC6-220, designating what personal items were removed, shall be completed by security staff and signed by the inmate. The original will be placed in the inmate's property file and a copy of the form will be given to the inmate. Form DC6-220 is incorporated by reference in Rule 33-602.201, F.A.C. Inmates shall be allowed to possess religious items pursuant to the provisions of Rule 33-602.201, F.A.C. All property retained by the inmate must fit into the storage area provided.

(d) Comfort Items – inmates in administrative confinement shall be permitted the same personal hygiene items and other medically needed or prescribed items as is permitted general population inmates unless there is an indication of a security problem. Inmates in administrative confinement shall not possess any products that contain baby oil, mineral oil, cocoa butter, or alcohol. In the event certain items that inmates in administrative confinement are not normally prohibited from possessing are removed, the senior correctional officer shall be notified and must approve the action taken, or the item must be returned to the inmate. Action taken shall be recorded on the Daily Record of Special Housing, Form DC6-229, which must be reviewed by the ~~chief~~ Chief of ~~security~~ Security. Property receipts shall be given for any personal property removed. The following comfort items shall be provided as a minimum: toothbrush, toothpaste, bar of soap, towel or paper towels, ~~and~~ feminine hygiene products for women, and toilet tissue.

(e) through (f) No change.

(g) Canteen Items – inmates in administrative confinement shall be allowed to make canteen purchases once every other week. Items sold to administrative confinement inmates shall be restricted when reasonably necessary for institutional safety and security.

1. No change.

2. Inmates in administrative confinement shall be allowed to purchase a maximum of five non-food canteen items. Stamps, envelopes, security pens, and notebook paper, each count as one item. For example, three security pens count as one item. Twenty-five stamps or fewer shall count as one item and two packages or less of notebook paper shall count as one item.

(h) No change.

(i) Visiting – all visits for inmates in administrative confinement must be approved in advance by the warden or designee. The warden or designee shall notify the control room in writing when approval is given in advance of the visitor arriving at the institution. Requests for inmates in administrative confinement to visit shall be in writing to the ICT. Those inmates who are a threat to the security of the institution shall be denied visiting privileges. Attorney-client visits shall be in accordance with Rule 33-601.711, F.A.C., and shall not be restricted except on evidence that the visit would be a threat to security and order. The warden or designee shall determine whether a pre-approved visit will be contact or non-contact ~~in accordance with based on one or all of the criteria set forth in subsection (2) of Rule 33-601.735, F.A.C.~~

(j) No change.

(k) Legal Access – legal materials shall be as accessible to inmates in administrative confinement as to inmates in general population as long as security concerns permit. An inmate in confinement may be required to conduct legal business by correspondence rather than a personal visit to the law library if security requirements prevent a personal visit. However, all steps shall be taken to ensure the inmate is not denied needed access while in confinement. Although the inmate may not be represented by an attorney at any administrative hearing, access shall be granted for legal visits at any reasonable time during normal business hours to the inmate's attorney or aide to that attorney. Indigent inmates shall be provided paper and writing utensils in order to prepare legal papers. Inmates who are not indigent shall be allowed to purchase paper, security pens, and envelopes for this purpose through a canteen order. An inmate with disabilities that hinder the preparation of legal correspondence will be allowed the use of auxiliary aids (writer/reader). An inmate who is provided an auxiliary aid shall also be allowed access to a certified ~~law clerk research aide~~ law clerk for the purpose of preparing legal documents, legal mail, or filing a grievance.

(l) No change.

(m) Writing ~~Utensils~~ ~~utensils~~ – inmates in administrative confinement may possess a maximum of four (4) security pens. Other types of pens and pencils shall be confiscated and stored until the inmate is released from administrative confinement status. Inmates who are in possession of working pens or pencils when placed in administrative confinement will be issued a security pen. Inmates who are not indigent must purchase additional pens when needed from the canteen. If security pens are unavailable, the inmate shall be allowed to sign out a regular pen from the confinement housing officer. All care shall be taken to ensure that an indigent inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the ~~Department~~ ~~department~~ has access to a pen for a time period sufficient to prepare the legal mail, documents, or grievances. An inmate who has been provided a “writer/reader” shall be allowed access to such for the purpose of reading or preparing correspondence.

(n) Reading materials – inmates in administrative confinement shall be provided access to admissible reading material as provided in Rule 33-501.401, F.A.C., unless there is an indication of a threat to the safety, security, or sanitation of the institution. If it is determined that there is a safety, security, or sanitation risk, the items will be removed. Such removal of reading materials shall be documented on Form DC6-229 in accordance with paragraph (9)(c) of this rule.

(o) Library – only one book at a time may be checked out. Books shall be checked out once weekly and inmates may possess no more than one soft-back library book at any given time. An inmate who receives services from the Bureau of Braille and Talking Book Library shall be allowed to have his or her tape player and devotional and scriptural materials and any other books on tape that are in compliance with the ~~the~~ ~~admissibility~~ ~~requirements~~ ~~of~~ ~~in~~ Rule 33-501.401, F.A.C. Inmates will be allowed to check out one book on tape per week and possess no more than one checked-out book at any given time. The actual number of tapes may be more than one per book.

(p) Exercise – those inmates confined on a 24-hour basis excluding showers and clinic trips may exercise in their cells. However, if confinement extends beyond a 30-day period, an exercise schedule shall be implemented to ensure a minimum of three hours per week of exercise out of doors. Such exercise periods shall be documented on Form DC6-229, Daily Record of Special Housing. The ICT is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be for no more than 15 days per incident and for no longer than 30 days in cumulative length. If the inmate requests a physical fitness program handout, the wellness specialist or the confinement officer shall provide the inmate with an in-cell exercise guide and document such on ~~the~~

~~Daily Record of Special Housing~~, Form DC6-229. Medical restrictions can also place limitations on the exercise periods. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him or her that will accomplish the need for exercise and take into account the particular inmate’s limitations. Recreational equipment may be available for the exercise period provided such equipment does not compromise the safety or security of the institution. The reasons for any exercise restrictions shall be documented on ~~the Daily Record of Special Housing~~, Form DC6-229.

(q) If items of clothing, bedding, or property are removed in order to prevent the inmate from inflicting injury to himself or herself or others, to prevent destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden, based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred.

(6) Restraint and Escort Requirements.

(a) Prior to opening any cell for any purpose, including exercise, medical or disciplinary call-outs, telephone calls, recreation, and visits, all inmates in the cell shall be handcuffed behind their backs, unless documented medical conditions require that an inmate be handcuffed in front. In such cases, waist chains will be used in addition to the handcuffs.

(b) through (e) No change.

(f) Any inmate who has demonstrated behavior that is or could be harmful to him or herself shall be designated as a special risk inmate. If the inmate demonstrates bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted to determine if special watch or suicide watch procedures shall be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or health care staff provides observation. Visual checks shall be made in accordance with medical protocols or at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist, until the inmate is no longer considered a special risk inmate. All actions taken by staff with regard to special risk inmates shall be documented on Form DC6-229 and followed with an Incident Report, Form DC6-210. ~~Form DC6-210 is incorporated by reference in Rule 33-602.210, F.A.C.~~ Form DC4-650 is incorporated by reference in subsection (11) of this rule.

(g) No change.

(7) Visits to Administrative Confinement. The following staff members shall be required to officially inspect and tour the administrative confinement unit. All visits by staff, other than the 30 minute checks described in paragraph (a) below, shall be documented on the Inspection of Special Housing

Record, Form DC6-228. Form DC6-228 is incorporated by reference in Rule 33-601.800, F.A.C. The staff member shall also document his or her visit on the Daily Record of Special Housing, Form DC6-229, if any discussion of significance or action or behavior of the inmate occurs or any important information is obtained ~~that~~ ~~which~~ may have an influence or effect on the status of confinement. These visits shall be conducted at a minimum of:

(a) ~~Every~~ ~~At least every~~ 30 minutes by a correctional officer, but on an irregular schedule. These checks shall be documented on Form DC6-209, Housing Unit Log.

(b) through (c) No change.

(d) Weekly by the ~~chief~~ ~~Chief~~ of ~~security~~ ~~Security~~ (when on duty at the facility) except in case of riot or other institutional emergency.

(e) through (h) No change.

(8) Review of Administrative Confinement.

(a) No change.

(b) Any inmate assigned to administrative confinement for more than 30 days shall be given a psychological screening assessment by a mental health professional to determine his or her mental condition. The assessment shall include a personal interview if determined necessary by mental health staff. All such assessments shall be documented in the mental health record. The ~~mental health clinician~~ ~~psychologist~~ or ~~mental health psychological~~ specialist shall prepare a report to the ICT regarding the results of the assessment with recommendations. The ICT shall then make a decision regarding continuation of confinement. If the decision is to continue confinement, a psychological screening assessment shall be completed at least every 90-day period.

(c) If an inmate is confined for more than 30 days, the ICT shall interview the inmate and shall prepare a formal assessment and evaluation report after each 30 day period in administrative confinement. Such reports may be in a brief paragraph form detailing the basis for confinement, what has transpired since the last report, the decision concerning continued confinement, and the basis for that decision.

(d) No change.

(9) Administrative Confinement Records.

(a) ~~Form DC6-229~~, A Daily Record of Special Housing, ~~Form DC6-229~~, shall be maintained for each inmate as long as the inmate is in administrative confinement. ~~The~~ Form DC6-229 shall be utilized to document any activity such as cell searches, items removed, showers, recreation, haircuts and shaves, and also unusual occurrences such as refusal to come out of a cell or refusal to eat. If items that inmates in administrative confinement are not prohibited from possessing are denied or removed from the inmate, the shift supervisor or the confinement lieutenant must approve the action initially. The central office ADA coordinator shall be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled inmate an equal

opportunity as a non-disabled inmate. The items denied or removed shall be documented on Form DC6-229 and the ~~chief~~ ~~Chief~~ of ~~security~~ ~~Security~~ shall make the final decision in regard to the appropriateness of that action no later than the next working day following the action. The housing supervisor shall make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action shall also be noted. ~~The~~ Form DC6-229 shall be maintained in the housing unit for 30 days, at which time the form shall be forwarded to the ICT for review. Once reviewed, these forms shall be forwarded to classification to be filed in the institutional inmate record.

(b) ~~Form DC6-229B~~, A Daily Record of Special Housing – Supplemental, ~~Form DC6-229B~~, shall be completed and attached to the current ~~Daily Record of Special Housing~~, Form DC6-229; whenever additional written documentation is required concerning an event or incident related to the specific inmate. Form DC6-229B is incorporated by reference in Rule 33-601.800, F.A.C.

(c) ~~Form DC6-228~~, An Inspection of Special Housing Record, ~~Form DC6-228~~, shall be maintained in each administrative confinement unit. Each staff person shall sign such record when entering and leaving the confinement unit. Prior to leaving the confinement unit, each staff member shall indicate any specific problems including any inmate who requires special attention. No other unit activities shall be recorded on Form DC6-228. Upon completion, ~~the~~ Form DC6-228 shall be maintained in the housing unit and forwarded to the ~~chief~~ ~~Chief~~ of ~~security~~ ~~Security~~ on a weekly basis where it shall be maintained on file pursuant to the current retention schedule.

(d) ~~Form DC6-209~~, A Housing Unit Log, ~~Form DC6-209~~, shall be maintained in each confinement unit. Officers shall record all daily unit activities on Form DC6-209, to include any special problems or discrepancies noted. The completed Form DC6-209 shall be forwarded daily to the chief of security for review.

(10) Staffing Issues.

(a) Officers assigned to a confinement unit shall be reviewed at least every 18 months. The shift supervisor or confinement lieutenant shall initiate the review by having the officer complete section I of the Special Housing Unit Rotation Review, Form DC6-295. Form DC6-295 is incorporated by reference in Rule 33-602.222, F.A.C. The required supervisor shall conduct an interview with the officer and complete section II of ~~the~~ Form DC6-295 and forward the form to the chief of security. The chief of security shall review personnel records, to include performance appraisals, incident reports, use of force reports, and any other documentation relevant to the officer's assignment and job performance; and shall interview the officer and ~~officer's~~ ~~officers'~~ supervisors for the period of review when necessary. The chief of security shall, upon completion of his or her review, complete section III of

Form DC6-295 and forward the recommendation to the warden. The warden shall review the recommendation, request additional information if necessary, and make the final determination as to whether the officer continues in the current assignment or is rotated to another assignment. The warden's decision will be documented in section VI of the Form DC6-295 and returned to the chief of security for action. The chief of security shall maintain the completed Form DC6-295. Any officer assigned to a confinement post shall be authorized a minimum period of five days annual leave or a five day assignment to a less stressful post every six months.

(b) The inspector general ~~Inspector General~~ shall notify the warden and regional director of institutions of any officer involved in eight or more use of force incidents in an 18 month period. The regional director of institutions shall review the circumstances for possible reassignment.

(11) Forms. The following forms referenced in this rule are hereby incorporated by reference. A copy of any of these forms may be obtained from the Forms Control Administrator, ~~Office of Research, Planning and Support Services,~~ Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) Form DC4-650, Observation Checklist, effective ~~date~~ 4-8-08.

(b) Form DC6-203, Protection Waiver/Appeal Decision, effective ~~date~~ 1-19-03.

(c) Form DC6-137, Notification of Protective Management Disapproval, effective 1-19-03.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 945.04 FS. History—New 4-7-81, Amended 6-23-83, 3-12-84, Formerly 33-3.081, Amended 4-22-87, 8-27-87, 7-10-90, 12-4-90, 3-24-97, 4-26-98, 10-5-98, Formerly 33-3.0081, Amended 2-12-01, 2-5-02, 1-19-03, 4-1-04, 3-5-06, 10-31-06, 4-8-08, 6-25-08, 6-8-09, 7-5-10, _____.

33-602.222 Disciplinary Confinement.

(1) Definitions.

(a) Bureau of Braille and Talking Book Library – ~~refers to~~ the agency that provides books on tape, Braille books, and other auxiliary aids for individuals who, due to a disability, are unable to read books in print.

(b) Central Office ADA Coordinator – ~~refers to~~ the employee responsible for implementing the provisions of Title I and Title II of the Americans with Disabilities Act and Section 504 of the 1973 Rehabilitation Act within the Department.

(c) Clinical Health Care Personnel – where used herein, refers to a physician, clinical associate, nurse correctional medical technician certified (CMTC), mental health clinician ~~psychologist~~, psychology intern, psychology resident, or mental health ~~psychological specialist~~.

(d) Review = where used herein, refers to the evaluation of pertinent information or documentation concerning an inmate's disciplinary confinement status to determine if changes or modifications in the confinement status are required or recommended.

(e) Visit = where used herein, refers to the official inspection and tour of a confinement unit by a staff member.

(f) Disciplinary Confinement = ~~refers to~~ a form of punishment in which inmates found guilty of committing violations of the Department ~~department~~ rules are confined for specified periods of time to individual cells based upon authorized penalties for prohibited conduct.

(g) Disciplinary Hearing = ~~refers to~~ an administrative proceeding in which it is determined if sufficient evidence exists to find an inmate guilty of a rule violation.

(h) Disciplinary Team = ~~refers to~~ a team made up of at least two staff persons appointed by the warden, one of whom shall be a correctional officer lieutenant or above.

(i) Institutional Classification Team (ICT) – where used herein, refers to the team consisting of the warden or assistant warden, classification supervisor, a correctional officer chief, and other members as necessary when appointed by the warden or designated by rule. The ICT is responsible for making work, program, housing, and inmate status decisions at a facility and for making other recommendations to the State Classification Office ~~state classification office~~.

(j) Security Pen – ~~Pens refers to~~ a specially designed flexible ink pen that bends under pressure and has a tip that retracts under excessive pressure.

(k) Shift Supervisor = ~~refers to~~ the correctional officer in charge of security on any work shift.

(l) State Classification Office (SCO) = ~~refers to~~ a staff member at the central office level responsible for the review of inmate classification decisions including approving, modifying, or rejecting ICT recommendations.

(m) No change.

(2) Placement in Confinement.

(a) No change.

(b) Disciplinary confinement cells shall be physically separate from other confinement statuses whenever possible. Whenever such location is not possible, physical barriers shall preclude the cross association of those in disciplinary confinement with those in other housing statuses. The disciplinary confinement cells shall be approximately the same square footage as utilized for general population. Disciplinary confinement units shall be built to permit verbal communication and unobstructed observation by staff. Visual inspections shall be conducted of each cell, to include at a minimum; observations for clothes lines, pictures attached to the walls and lockers, windows or light fixtures covered with paper, clothes or towels, and air and heater vents that have been

obstructed. When sufficient natural light is unavailable, interior cell lights shall be left on during day and evening hours.

(3) Disciplinary Confinement Cells.

(a) Inmates shall not be housed in disciplinary confinement cells in greater number than there are beds in the cells. The only exception to this policy is during an emergency situation as declared by the warden or duty warden. Any emergency situation shall be communicated to the regional director of institutions and to the Emergency Action Center in the central office. If this exception exists in excess of 24 hours, the warden or duty warden must get specific written authorization from the regional director of institutions to continue to house inmates beyond the 24-hour period in such conditions. Prior to placing inmates in the same cell, the inmates shall be interviewed by the housing supervisor to ensure that none of the inmates ~~constitutes~~ constitute a threat to any of the others.

(b) All disciplinary confinement cells shall be equipped with toilet facilities and running water for drinking and other sanitary purposes. Water in the cell can be turned off by correctional staff due to an inmate's inappropriate behavior that causes an interruption in the water system or the intentional misuse of water for an unauthorized purpose. In such event, the inmate occupant will be furnished an adequate supply of drinking water by other means to prevent dehydration. These actions shall be documented on Form DC6-229, Daily Record of Special Housing. Form DC6-229 is ~~has been~~ incorporated by reference in Rule 33-601.800, F.A.C.

(c) Prior to the inmate's placement into, and after the inmate's removal from, a disciplinary confinement cell, the cell shall be thoroughly inspected to ensure that it is in proper order, and the inmate housed in that cell will then be held responsible for the condition of the cell. The correctional officer conducting the inspection shall complete and sign Form DC6-221, Cell Inspection, attesting to the condition of the cell. Form DC6-221 is incorporated by reference in Rule 33-601.800, F.A.C. Routine searches of each cell are authorized at any time; but shall be conducted, at a minimum, each time an inmate is removed from the cell for a shower. All searches shall be documented on Form DC6-229, Daily Record of Special Housing. All inmates shall be searched prior to entering the confinement unit and upon departure. All items entering the confinement unit shall be thoroughly searched, to include at a minimum; food carts and trays, laundry and linens, and inmate property.

(d) The officers assigned shall exercise care to maintain noise ~~levels~~ in confinement units at a reasonable level so as not to interfere with normal operating activities.

(4) Conditions and Privileges.

(a) Clothing. Inmates in disciplinary confinement shall be required to wear the Class A uniform as described in Rule 33-602.101, F.A.C., during waking hours established by the

warden or designee and inmates in disciplinary confinement shall be provided the same clothing and clothing exchange as the general inmate population. Exceptions shall be made on an individual basis when evidence suggests it would be in the best interest of the inmate or security of the institution. In such cases, the exceptions shall be noted on the Daily Record of Special Housing, Form DC6-229, and approved by the chief of security. Shower slides may be substituted for regulation shoes. Any item may be removed from the cell in order to prevent the inmate from inflicting injury to him or herself or to others or to prevent the destruction of property or equipment. If an inmate's clothing is removed, a modesty garment shall be immediately obtained and given to the inmate. If the inmate chooses not to wear the garment, the garment shall be left in the cell and this action shall be documented on Form DC6-229. Under no circumstances shall an inmate be left without a means to cover him or herself.

(b) No change.

(c) Personal Property. Inmates in confinement shall be allowed to retain stamps, eyeglasses, hearing aids, personal watches, and rings unless there is an indication of a security problem. Inmates in disciplinary confinement may also possess religious items pursuant to the provisions of Rule 33-602.201, F.A.C. If removal of any item in the inmate's possession is determined necessary, ~~the~~ correctional staff shall document their actions on ~~the~~ Form DC6-229, Daily Record of Special Housing, which shall be approved by the chief of security. The correctional staff shall issue the inmate a receipt for her or his confiscated items by completing the Inmate Impounded Personal Property List, Form DC6-220. Form DC6-220 is incorporated by reference in Rule 33-602.201, F.A.C. Inmates in disciplinary confinement shall not possess any products that contain baby oil, mineral oil, cocoa butter, or alcohol.

(d) through (i) No change.

(j) Legal visits. Attorney-client visits shall be allowed as provided in Rule 33-601.711, F.A.C., ~~Legal Visitors~~, and shall not be restricted except on evidence that the visit would be a threat to security and order. The warden or his or her designee must approve all visits in advance.

(k) Legal Access.

1. No change.

2. Indigent inmates shall be provided paper, envelopes, and security pens in order to prepare legal papers or notify visitors of confinement status. An inmate with disabilities that hinder the preparation of legal correspondence will be allowed the use of auxiliary aids (writer/reader). An inmate who is provided an auxiliary aid shall also be allowed access to a certified law clerk for the purpose of preparing legal documents, legal mail, or filing a grievance.

(l) No change.

(m) Correspondence.

1. Inmates in disciplinary confinement shall be allowed routine correspondence privileges unless restricted as provided in Rule 33-601.308, F.A.C., ~~Disciplinary Action~~. Inmates shall be encouraged to write their families to advise them of their anticipated visiting status. Indigent inmates shall be provided paper and envelopes for this purpose.

2. Grievance forms, Form DC6-236, Inmate Request, and Form DC1-303, Request for Administrative Remedy, shall be made available to the inmate at any time, regardless of his or her confinement status, and shall be transmitted to the addressee without delay. Forms DC6-236 and DC1-303 are incorporated in Rule 33-103.011, F.A.C.

(n) No change.

(o) Reading Material. Scriptural and devotional reading materials that are in compliance with admissibility requirements in Rule 33-501.401, F.A.C., shall be permitted for those inmates in disciplinary confinement units unless there is an indication of a threat to the safety, security, or sanitation of the institution. If it is determined that there is a safety, security, or sanitation risk, the items will be removed. Such removal of reading materials shall be documented on Form DC6-229 in accordance with paragraph (9)(b) of this rule. An inmate who receives services from the Bureau of Braille and Talking Book Library shall be allowed to have his or her ~~their~~ tape players and devotional and scriptural materials that are in compliance with this rule.

(p) Exercise.

1. No change.

2. If the inmate requests a copy of the physical fitness program, the wellness specialist or confinement unit correctional officer shall provide the inmate with an in-cell exercise guide and document this action on ~~the Form DC6-229; Daily Record of Special Housing~~.

3. The ICT is authorized to restrict exercise for an individual inmate only when the inmate is found guilty of a major rule violation as defined in Rule 33-602.220, F.A.C. Inmates shall be notified in writing of this decision and may appeal through the grievance procedure. The denial of exercise shall be no more than 15 days per incident and for no longer than 30 days cumulative length and shall be documented on Form DC6-229, ~~Daily Record of Segregation~~. Exceptions to this restriction may be made only when documented facts show that such exercise periods should not be granted. Restrictions may also be placed on the exercise periods by professional medical staff. A disabled inmate who is unable to participate in the normal exercise program will have an exercise program developed for him or her that will accomplish the need for exercise and take into account the particular inmate's limitations. The reasons for any exercise restrictions shall be documented on ~~the Daily Record of Segregation~~, Form DC6-229.

(q) Weighing. Inmates shall be weighed upon entering disciplinary confinement, at least once a week while in disciplinary confinement, and upon leaving disciplinary confinement. The weight of the inmate shall be documented on Form DC6-229, Daily Record of Special Housing Segregation.

(r) If items of clothing, bedding, or property are removed in order to prevent the inmate from inflicting injury to him or herself or others, to prevent destruction of property or equipment, or to prevent the inmate from impeding security staff from accomplishing functions essential to the unit and institutional security, staff shall re-assess the need for continued restriction every 72 hours thereafter. The warden, based on this assessment, will make the final determination on the continued denial or return of the items. The items will be returned to the inmate when no further behavior or threat of behavior of the type leading to the restriction has occurred.

(5) No change.

(6) Restraint and Escort Requirements.

(a) Prior to opening a cell door for any reason, including exercise, medical or disciplinary call-outs, telephone calls, recreation, and visits, all inmates in the cell shall be handcuffed behind their backs, unless documented medical conditions require that an inmate be handcuffed in front. In such cases, waist chains will be used in addition to the handcuffs, and the escort officers shall be particularly vigilant.

(b) through (e) No change.

(7) Visits to Disciplinary Confinement.

(a) The following staff members shall be required to officially inspect and tour the disciplinary confinement unit. All visits by staff, other than the 30 minute checks described in subparagraph 1. below, shall be documented on the Inspection of Special Housing Record, Form DC6-228. Form DC6-228 is incorporated in Rule 33-601.800, F.A.C. The staff member shall also document his or her visit on the Daily Record of Special Housing, Form DC6-229, if any discussion of significance or ~~action~~ or behavior of the inmate, or any other important information is obtained which may have an influence or effect on the status of confinement. These visits shall be conducted a minimum of:

1. through 10. No change.

(b) Any inmate who has demonstrated behavior that is or could be harmful to him or herself shall be designated as a special risk inmate. If the inmate exhibits bizarre, mentally disordered, or self-destructive behavior, the medical department shall be immediately contacted by correctional staff to determine if special watch or suicide watch procedures should be initiated. Suicidal inmates shall be removed to a designated area where a correctional officer or medical staff can provide observation. Visual checks shall be made in accordance with medical protocols or the Inmate Suicide Precautions procedure at least every 30 minutes and shall be documented on Form DC4-650, Observation Checklist, until the inmate is no longer considered a special risk inmate. Form

DC4-650 is incorporated by reference in Rule 33-602.220, F.A.C. All actions taken by staff with regard to special risk inmates shall be documented on Form DC6-229 and followed with an Incident Report ~~incident report~~, Form DC6-210. ~~Form DC6-210 is incorporated by reference in Rule 33-602.210, F.A.C.~~

(8) Review and Release from Disciplinary Confinement.

(a) through (b) No change.

(b) Any inmate assigned to disciplinary confinement for more than 30 days shall be given a psychological screening assessment by a mental health professional to determine the inmate's mental condition. The assessment shall include a personal interview if deemed necessary by the mental health professional. The mental health clinician ~~psychologist~~ or mental health ~~psychological~~ specialist shall prepare a report to the ICT regarding the results of the assessment with recommendations. The ICT shall then make a decision regarding continuation of confinement. If the decision is to continue confinement, a psychological screening assessment shall be completed at least every 90-day period.

(c) No change.

(d) The SCO shall review the report prepared by the ICT and the mental health clinician ~~psychologist~~ or mental health ~~psychological~~ specialist concerning the inmate's disciplinary confinement at the next on-site visit; and shall interview the inmate before determining the final disposition of the inmate's disciplinary confinement.

(e) No change.

(9) Daily Record of Special Housing Segregation.

(a) Form DC6-229, ~~A Daily Record of Special Housing, Form DC6-229~~, shall be maintained for each inmate as long as the inmate is in disciplinary confinement.

(b) ~~The~~ Form DC6-229 shall be utilized to document any activity such as cell searches, items removed, showers, weighing of inmates, recreation, haircuts and shaves, and also unusual occurrences such as refusal to come out of a cell or refusal to eat. If items that inmates in disciplinary confinement are not prohibited from possessing are denied or removed from the inmate, the shift supervisor or the confinement lieutenant must approve the action initially. The central office ADA coordinator shall be contacted within 24 hours if any item is removed that would be considered an auxiliary aid or device that ensures a disabled inmate an equal opportunity as a non-disabled inmate. The items denied or removed shall be documented on Form DC6-229, and the chief of security shall make the final decision in regard to the appropriateness of that action no later than the next working day following the action. The housing supervisor shall make a notation of any unusual occurrences or changes in the inmate's behavior and any action taken. Changes in housing location or any other special action shall also be noted. Form DC6-229 shall be maintained in the

housing unit for 30 days. After each 30-day review by a member of the ICT, Form DC6-229 shall be forwarded to classification to be filed in the institutional inmate record.

(10) Form DC6-229B, ~~A Daily Record of Special Housing – Supplemental, Form DC6-229B~~, shall be completed and attached to the current Daily Record of Special Housing, Form DC6-229; whenever additional written documentation is required concerning an event or incident related to the specific inmate. Form DC6-229B is incorporated by reference in Rule 33-601.800, F.A.C.

(11) No change.

(12) Form DC6-209, ~~A Housing Unit Log, Form DC6-209~~, shall be maintained in each confinement unit. Officers shall record all daily unit activities on Form DC6-209, to include any special problems or discrepancies noted. The completed Form DC6-209 shall be forwarded daily to the chief of security for review.

(13) Staffing issues.

(a) Officers assigned to a disciplinary confinement unit shall be reviewed at least every 18 months. The shift supervisor or confinement lieutenant shall initiate the review by having the officer complete section I of the Special Housing Unit Rotation Review, Form DC6-295. Form DC6-295 is incorporated by reference in subsection (14) of this rule. The supervisor shall conduct an interview with the officer, ~~and~~ complete section II of Form DC6-295, and forward the form to the chief of security. The chief of security shall review personnel records, to include performance appraisals, incident reports, use of force reports, and any other documentation relevant to the officer's assignment and job performance; and shall interview the officer and the officer's supervisors for the period of review when necessary. The chief of security shall, upon completion of his or her review, complete section III of Form DC6-295 and forward the recommendation to the warden. The warden shall review the recommendation, request additional information if necessary, and make the final determination as to whether the officer continues in the current assignment or is rotated to another assignment. The warden's decision shall be documented in section IV of Form DC6-295 and returned to the chief of security for action. The chief of security shall maintain the completed Form DC6-295. Any officer assigned to a confinement post shall be authorized a minimum period of five days annual leave or a five day assignment to a less stressful post every six months.

(b) The inspector general ~~Inspector General~~ shall notify the warden and regional director of institutions of any officer involved in eight or more use of force incidents in an 18-month period. The regional director of institutions shall review the circumstances for possible reassignment.

(14) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 3-12-84, Formerly 33-3.084, Amended 7-10-90, 4-28-96, 12-7-97, 3-23-99, Formerly 33-3.0084, Amended 2-12-01, 2-15-02, 4-1-04, 1-16-06, 10-31-06, 6-25-08, 6-8-09, 7-5-10,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-7.521	Definitions
40E-7.527	Hunting
40E-7.538	Special Provisions for Management Areas of the District Open to the Public
40E-7.5381	Special Provisions for Right of Way of the District
40E-7.5382	Special Provisions for Vacant Undesignated District Lands Open to the Public

PURPOSE AND EFFECT: To amend Rules 40E-7.521, 40E-7.527, 40E-7.538, 40E-7.5381, and 40E-7.5382, F.A.C., to comply with a recent amendment to Section 790.33, F.S. (HB 45, 2011), which provides exclusive authority to the Legislature to regulate firearms and ammunition, thereby making the District rules regarding firearms and ammunition null and void as of October 1, 2011.

SUBJECT AREA TO BE ADDRESSED: Prohibition of the possession of ammunition or the discharge of firearms of District Public lands.

RULEMAKING AUTHORITY: 373.019, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.1391, 373.59, 373.1401, 790, 810.09 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: South Florida Water Management District Clerk at (800)432-2045, x 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Steve Coughlin, Section Administrator, Land Stewardship Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680 telephone 1(800)432-2045, ext.

2603 or (561)682-2603 or by email to scoughlin@sfwmd.gov. For procedural questions, please contact: Charron Follins, Senior Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, ext 6293 or (561)682-6293 or by email cfollins@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-7.521 Definitions.

When used in this part:

(1) through (9) No change.

~~(10) "Firearm" means a shotgun, rifle, pistol, revolver or muzzleloader designed to expel a projectile by the action of an explosive and any air gun, gas gun, blow gun, crossbow, spear, or any other device mechanically propelling an arrow, spear, or other projectile or any starter gun or blank firing device.~~

(11) through (31) renumbered (10) through (30) No change.

~~Rulemaking Specific Authority 373.019, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.056, 373.069, 373.0693, 373.073, 373.079, 373.083, 373.103, 373.1391, 373.59 FS. History—New 5-24-94, Amended 11-13-97, 1-1-99, 1-5-03, 7-12-06,_____.~~

~~40E-7.527 Hunting; Possession and Use of Firearms or Hunting Devices.~~

~~(1) Consistent with applicable provisions of local, state and federal law, concerning hunting or the possession and use of firearms or other types of hunting devices, such as the rules of the Florida Fish and Wildlife Conservation Commission and the United States Department of Interior, Fish and Wildlife Service, hunting, unlawful possession, discharge, and use of firearms or other types of hunting devices or, trapping devices and the releasing of free-running hunting dogs are prohibited on District lands unless the land is opened as a public hunting area and these uses are authorized in the specific public hunting area regulations. Nothing contained in Chapter 40E-7, Part V, F.A.C., shall be construed to prohibit the lawful possession of concealed weapons by persons properly licensed by the State of Florida to carry concealed weapons. The prohibition on the possession and discharge of firearms or other types of hunting devices shall not apply on land approved by the District for use as a small arms shooting range.~~

(2) through (3) No change.

~~(4) No person shall hunt or possess a firearm or other type of hunting device except during regulated hunting seasons established and managed by the Florida Fish and Wildlife Conservation Commission.~~

(5) through (9) No change.

~~Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.1401, 373.59, 790, 810.09 FS. History—New 5-24-94, Amended 1-1-01, 1-5-03, 7-12-06,_____.~~

40E-7.538 Special Provisions for Management Areas of the District Open to the Public.

(1) through (2) No change.

(3) Gardner-Cobb Marsh Management Unit in Osceola County.

(a) through (c) No change.

~~(d) Possession of a firearm or other types of hunting devices in the Hammock is prohibited.~~

(4) Lower Kissimmee River Management Area located in Polk, Osceola, Highlands, Glades, and Okeechobee Counties.

(a) through (c) No change.

~~(d) Safety Zones within the Public Use Area in Okeechobee, Highlands, Osceola, and Polk Counties.~~

~~1. All firearms and other types of hunting devices and firearms shall be unloaded.~~

~~2. A person in possession of a Special Use License to camp within the Safety Zone at the Oak Creek Campsite during a hunting season shall have firearms and other types of hunting devices unloaded and secured in a locked firearm or other type of hunting device case while in camp and while in direct travel to and from the campsite.~~

(5) through (9) No change.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.59 FS. History–New 1-1-01, Amended 1-5-03, 7-12-06,_____.

40E-7.5381 Special Provisions for Right of Way of the District.

The following shall be prohibited on all Right of Way of the District; which include rights-of-way, canals, levees, maintenance berms, and spoil mounds:

(1) Hunting.

~~(2) Discharge of firearms or other types of hunting devices.~~

(3) through (12) renumbered (2) through (12) No change.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.59 FS. History–New 7-12-06, Amended _____.

40E-7.5382 Special Provisions for Vacant Undesignated District Lands Open to the Public.

The following shall be prohibited on vacant undesignated lands, as that term is defined in subsection 40E-7.521(30), F.A.C.

~~(1) Possession of a firearm or other types of hunting devices.~~

(2) through (6) renumbered (1) through (5) No change.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.59 FS. History–New 7-12-06, Amended _____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NO.: RULE TITLE:

59B-9.034 Reporting Instructions

PURPOSE AND EFFECT: The agency is proposing amendment to Rule 59B-9.034, F.A.C., to modify the CPT code range for cardiac catheterization.

SUBJECT AREA TO BE ADDRESSED: Ambulatory Reporting Instruction in Rule 59B-9.034, F.A.C.

RULEMAKING AUTHORITY: 408.15(8) FS.

LAW IMPLEMENTED: 408.061, 408.062 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 15, 2011, 9:00 a.m.

PLACE: Agency for Health Care Administration, First Floor Conference Room B, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Patrick Kennedy at (850)412-3757. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Patrick Kennedy at (850)412-3757

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59B-9.034 Reporting Instructions.

(1) No change.

(a) No change.

(b) 92980 through 92998 and 93451 ~~93500~~ through 93599.

Includes percutaneous transluminal coronary angioplasty (PTCA) and Cardiac Catheterization.

(c) through (d) No change.

(2) No change.

(a) through (e) No change.

(3) through (5) No change.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.061, 408.062, 408.063 FS. History–New 1-1-10, Amended 12-5-10,_____.

Editorial Note: see former Rule 59B-9.015, F.A.C.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:

59C-1.0355 Hospice Programs

PURPOSE AND EFFECT: The agency is proposing to update the rule to reflect changes to the hospice rule as currently defined in Title 59C, F.A.C.

SUBJECT AREA TO BE ADDRESSED: The proposed rule is updated to include the dates of material incorporated by reference in the rule as adopted May 3, 2010, and the dates of the data included in the semi-annual reports.

RULEMAKING AUTHORITY: 408.15(8), 408.034(3), (6) FS.

LAW IMPLEMENTED: 408.034(3), 408.035, 408.036(1)(d), 408.043(2), 400.606(3), (4) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Marisol Novak, Certificate of Need, 2727 Mahan Drive, Mail Stop 28, Building 1, Tallahassee, Florida or call (850)412-4401

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.020
RULE TITLE: Ambulatory Surgical Center Services

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 59G-4.020, F.A.C., is to incorporate by reference the revised Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, January 2012. The revised handbook will now incorporate updated policy related to reimbursement. An update is needed to the reimbursement policy, procedure codes and payment groups used for ambulatory surgical centers (ASCs). This rule updates the procedure codes payable in the ASC setting and payment groups used to reimburse ASCs for services by Florida Medicaid. Additionally, various policy clarifications have been made.

SUBJECT AREA TO BE ADDRESSED: Ambulatory Surgical Center Services. An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.020, F.A.C., will have as provided for under Sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, December 14, 2011, 3:30 p.m. – 5:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Pamela Kyllonen at the Bureau of Medicaid Services, (850)412-4211. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Pamela Kyllonen, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4211, e-mail: pamelakyllonen@ahca.myflorida.com. To download a draft copy of this rule, if available, go to <http://ahca.myflorida.com/Medicaid/review/index.shtml>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.020 Ambulatory Surgical Center Services.

(1) No change.

(2) All ambulatory surgical center providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Ambulatory Surgical Center Services Coverage and Limitations Handbook, January 2012 ~~January 2004, updated January 2005 and January 2006, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated in Rule 59G-4.001, F.A.C.~~ The Both handbooks is ~~are~~ available from the Medicaid fiscal agent's Web site ~~website~~ at www.mymedicaid-florida.com ~~http://floridamedicaid.aes-inc.com~~. Select ~~Click on~~ Public Information for Providers, then Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center at 1(800)289-7799 and selecting Option 7 ~~Provider Inquiry at (800)377-8216~~.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 10-25-84, Formerly 10C-7.531, Amended 5-13-92, 7-12-92, 7-27-93, Formerly 10C-7.0531, Amended 9-8-94, 7-3-95, 11-18-97, 10-27-98, 1-1-01, 7-26-01, 2-25-03, 2-17-04, 1-10-05, 10-2-05, 7-2-06, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE NO.: 59G-4.071
 RULE TITLE: Durable Medical Equipment and Medical Supply Services Provider Fee Schedules

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.071, F.A.C., is to incorporate by reference the Florida Medicaid Durable Medical Equipment and Supply Services Provider Fee Schedules, November 2011. The amendment updates Durable Medical Equipment (DME) and medical suppliers who provide services to Medicaid recipients.

SUBJECT AREA TO BE ADDRESSED: Durable Medical Equipment and Medical Supply Services Provider Fee Schedules. An additional area to be addressed during the workshop will be the potential regulatory impact the amendment to Rule 59G-4.071, F.A.C., will have as provided for under Sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, December 12, 2011, 9:00 a.m. – 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, Tallahassee, Florida 32308-5407

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dan Gabric at the Bureau of Medicaid Services, (850)412-4209. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Dan Gabric, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4209, e-mail: dan.gabric@ahca.myflorida.com. To download a draft copy of this rule, if available, go to <http://ahca.myflorida.com/Medicaid/review/index.shtml>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.071 Durable Medical Equipment and Medical Supply Services Provider Fee Schedules.

Medicaid durable medical equipment and medical supply providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of the Florida Medicaid Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for All Medicaid Recipients, November 2011 ~~November 2010~~, and the Florida Medicaid Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for Recipients Under Age 21, November 2011 ~~November 2010~~, which are incorporated by reference. The fee schedules are available from the Medicaid fiscal agent's Web site at mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 5-7-07, Amended 5-8-08, 9-28-11, _____.

AGENCY FOR HEALTH CARE ADMINISTRATION**Medicaid**

RULE NO.: 59G-4.110
 RULE TITLE: Hearing Services

PURPOSE AND EFFECT: The purpose of the proposed amendment to Rule 59G-4.110, F.A.C., is to incorporate by reference the revised Florida Medicaid Hearing Services Coverage and Limitations Handbook, January 2012. The revisions to the coverage and limitations handbook include policy clarification, place of service clarification, additional definitions, a new cochlear and BAHA implant policy, and updated fiscal agent information.

SUBJECT AREA TO BE ADDRESSED: Hearing Services

An additional area to be addressed during the workshop will be the potential regulatory impact Rule 59G-4.110, F.A.C., will have as provided for under Sections 120.54 and 120.541, F.S.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, December 15, 2011, 10:00 a.m. – 11:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Conference Room C, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting: Kathryn R. Stephens at the Bureau of Medicaid Services, (850)412-4235. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kathryn R. Stephens, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, telephone: (850)412-4235, e-mail: kathryn.stephens@ahca.myflorida.com. To download a draft copy of this rule, if available, go to <http://ahca.myflorida.com/Medicaid/review/index.shtml>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.110 Hearing Services.

(1) No change.

(2) All physicians, audiologists and hearing aid specialists enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Hearing Services Coverage and Limitations Handbook, January 2012 ~~July 2006~~, which is incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal website at <http://mymedicaid-florida.com> ~~<http://floridamedicaid.aes-inc.com>~~. Click on Public Information for Providers, then on Provider Support, and then on Provider Handbooks. Paper copies of the handbooks may be obtained by calling the Provider Contact Center Inquiry at 1(800)289-7799 and selecting Option 7 377-8216.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.012, 409.913 FS. History—New 8-3-80, Amended 7-21-83, Formerly 10C-7.522, Amended 4-13-93, Formerly 10C-7.0522, Amended 12-21-97, 10-13-98, 5-7-00, 7-5-01, 2-20-03, 8-5-03, 7-27-04, 7-26-05, 8-18-05, 11-29-06,

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE NOS.:	RULE TITLES:
60L-36.002	Political Activities
60L-36.005	Disciplinary Standards

PURPOSE AND EFFECT: To correct the inadvertent omission of the term “local” when the rule was last amended. The statute specifically mentions local office, so it should be included in Rule 60L-36.002, F.A.C. Also to update Rule 60L-36.005, F.A.C., changes to reflect the deadline for appeal established in Section 110.227(5)(a), F.S., as well as changes from HB 887, which was signed by the Governor on June 10, 2008.

SUBJECT AREA TO BE ADDRESSED: Stipulating that career service employees may hold local public office if authorized by the agency head and approved by the Department; including an involuntary transfer of more than 50 miles by highway as one of the actions requiring employee notification; and referring to Section 110.227(5)(a), Florida Statutes to identify the number of days for appeal rights.

RULEMAKING AUTHORITY: 110.1055, 110.201(1), 110.233(4)(a), 110.1055, 110.1221, 110.201(1), 110.227(2), 110.233, 110.403(1), 110.403(5), 110.605(1), 110.605(4) FS.

LAW IMPLEMENTED: 110.233(4)(a), 110.1221, 110.201, 110.227, 110.403, 110.605 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 8, 2011, 11:00 a.m. – 1:00 p.m.
PLACE: 4050 Esplanade Way, Room 101, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Kimberly L. Kemp, HR Consultant, 4050 Esplanade Way, Suite 235, Tallahassee, FL 32399-0950, (850)488-8176, Kimberly.Kemp@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ms. Kimberly L. Kemp, HR Consultant, 4050 Esplanade Way, Suite 235, Tallahassee, FL 32399-0950, (850)488-8176, Kimberly.Kemp@dms.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60L-36.002 Political Activities.

(1) Section 110.233(4)(a) of the Florida Statutes, prohibits a career service employee from holding, or being a candidate for, public office while in the employment of the state or taking any active part in a political campaign while on duty or within the period of time during which the employee is expected to perform services for which he or she receives compensation from the state. However, a career service employee may be a candidate for or hold local public office when authorized by the agency head and approved by the Department as involving no interest which conflicts or activity which interferes with his or her state employment. The following procedures shall apply to requests for that authorization and approval.

- (a) through (d) No change.
- (2) through (6) No change.

Rulemaking Specific Authority 110.1055, 110.201(1), 110.233(4)(a) FS. Law Implemented 110.233(4)(a) FS. History–New 1-22-02, Amended 5-16-04, _____.

60L-36.005 Disciplinary Standards.

(1) through (4) No change.

(5) Agencies shall make known to permanent career service employees the procedures specified in Section 110.227, Florida Statutes. Section 110.227(5)(a), Florida Statutes, establishes procedures for suspension, reduction in pay, demotion, involuntary transfer of more than 50 miles by highway, or dismissal of permanent career service employees. An agency taking such action shall, in addition to furnishing notice of intent to take such action, furnish the employee with written notice of final action. The written notice of final action shall advise the employee of appeal rights under Section 110.227(5)(a), Florida Statutes, under any applicable collective bargaining agreements, and under any other applicable statutory provisions, such as Parts VI or VIII of Chapter 112, Florida Statutes. The ~~fourteen-day~~ deadline for appeal established in Section 110.227(5)(a), Florida Statutes, shall be measured from the date the employee receives the written notice of final action.

Rulemaking Specific Authority 110.1055, 110.1221, 110.201(1), 110.227(2), 110.233, 110.403(1), 110.403(5), 110.605(1), 110.605(4) FS. Law Implemented 110.1221, 110.201, 110.227, 110.403, 110.605 FS. History–New 1-22-02, Amended _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-304.300	St. Marks River Basin TMDLs
62-304.315	Chipola River Basin TMDLs
62-304.330	Pensacola Bay TMDLs
62-304.335	Perdido Bay TMDLs
62-304.435	Upper East Coast Basin TMDLs Spruce Creek.
62-304.500	Ocklawaha Basin TMDLs
62-304.510	Upper St. Johns River TMDLs.
62-304.520	Indian River Lagoon Basin TMDLs
62-304.625	Peace River Basin TMDLs
62-304.640	Withlacoochee Basin TMDLs
62-304.705	St. Lucie Basin TMDLs
62-304.735	Everglades Basin TMDLs
62-304.800	Caloosahatchee River Basin TMDLs.

PURPOSE AND EFFECT: The Department is initiating rulemaking to establish Total Maximum Daily Loads (TMDLs) for waters in the following basins: St. Marks River, Chipola River, Pensacola Bay, Perdido Bay, Upper East Coast, Ocklawaha, Upper St. Johns River, Indian River Lagoon, Peace River, Withlacoochee, St. Lucie, Everglades, and Caloosahatchee River. Pursuant to Section 403.067(6), F.S., TMDLs must be adopted in rule by the Secretary of the Department. Chapter 62-304, F.A.C., was established as the rule chapter within which rules adopting TMDLs shall reside.

SUBJECT AREA TO BE ADDRESSED: TMDLs and their allocations will be established for the pollutants identified as causing the impairment for the impaired waters in the above listed basins.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.067 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jan Mandrup-Poulsen, Administrator, Watershed Evaluation and TMDL Section, 2600 Blair Stone Road, Mail Station 3555, Tallahassee, FL 32399-2400, Telephone (850)245-8449
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.645
RULE TITLE: Springs Coast Basin TMDLs

PURPOSE AND EFFECT: The Department is initiating rulemaking to establish Total Maximum Daily Loads (TMDLs) for waters in the Springs Coast basin. Pursuant to Section 403.067(6), F.S., TMDLs must be adopted in rule by the Secretary of the Department. Chapter 62-304, F.A.C., was established as the rule chapter within which rules adopting TMDLs shall reside. TMDL development is proceeding for those waters on the Department’s Verified List of Impaired Waters.

SUBJECT AREA TO BE ADDRESSED: TMDLs and their allocations will be established for the pollutants identified as causing the impairment for the impaired waters in the above listed basin. At this time, the Department is concurrently noticing a workshop to receive public comments on the draft dissolved oxygen and nutrient TMDLs for the Stevenson Creek tidal segment (WBID 1567), to be adopted in rule 62-304.645. The draft TMDL document for this impaired water will be placed on the Department’s TMDL website (<http://www.dep.state.fl.us/water/tmdl/>) by November 23 and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft TMDLs through December 23, 2011. Written comments should be directed to: Jan Mandrup-Poulsen, Environmental Administrator, Watershed Evaluation and TMDL Section, Florida Department of Environmental Protection, Mail Station 3555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or via email at: jan.mandrup-poulsen@dep.state.fl.us. This rule development has been given OGC case number 08-2478. A copy of the agenda may be obtained by contacting: Ms. Pat Waters,

Watershed Evaluation and TMDL Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)245-8449.

If requested in writing and not deemed unnecessary by the agency head, a rule development workshop for other WBIDS within the Springs Coast basins will be noticed in the next available Florida Administrative Weekly.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.067 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Friday, December 9, 2011, 9:30 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Center Blvd., Suite 100, Pinellas Park, Florida 33782-6141.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jan Mandrup-Poulsen, Administrator, Watershed Evaluation and TMDL Section, 2600 Blair Stone Road, Mail Station 3555, Tallahassee, FL 32399-2400, Telephone (850)245-8449

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-3.004 RULE TITLE: Acupuncture Examination

PURPOSE AND EFFECT: The Board proposes to add additional portions of the national exam to the approved examination and amend the rule to include an effective date of implementation of this rule.

SUBJECT AREA TO BE ADDRESSED: Acupuncture Examination. This notice of rule development replaces the rule development notice which published in the October 21, 2011 issue of the Florida Administrative Weekly.

RULEMAKING AUTHORITY: 456.017, 457.104 FS.

LAW IMPLEMENTED: 456.017, 457.104 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Jusevitch, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.017 RULE TITLE: Optional Informed Consent for Cataract Surgery

PURPOSE AND EFFECT: The Board proposes the development of a rule to address an optional informed consent form which physicians may use as their consent form for cataract surgery.

SUBJECT AREA TO BE ADDRESSED: Pursuant to Section 458.351(6), F.S., the Board intends to set forth the optional informed consent form which physicians may utilize for cataract surgical procedures.

RULEMAKING AUTHORITY: 458.351(6) FS.

LAW IMPLEMENTED: 458.351(6) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joy A. Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-14.012 RULE TITLE: Optional Informed Consent for Cataract Surgery

PURPOSE AND EFFECT: The Board proposes the development of a rule to address an optional informed consent form which physicians may use as their consent form for cataract surgery.

SUBJECT AREA TO BE ADDRESSED: Pursuant to Section 459.026(6), F.S., the Board intends to set forth the optional informed consent form which physicians may utilize for cataract surgical procedures.

RULEMAKING AUTHORITY: 459.026(6) FS.

LAW IMPLEMENTED: 459.026(6) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-3.007
 RULE TITLE: Active Status License Fee
 PURPOSE AND EFFECT: Board proposes the rule amendment to reduce the renewal fee.
 SUBJECT AREA TO BE ADDRESSED: Active Status license Fee.

RULEMAKING AUTHORITY: 468.1145(1) FS.
 LAW IMPLEMENTED: 456.036, 468.1145(8) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Jusevitch, Executive Director, Board of Speech-Language Pathology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32314-3256

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NO.: 65G-2.016
 RULE TITLE: Residential Fee Collection
 PURPOSE AND EFFECT: The purpose of this new rule is to allow for the equitable collection of third party benefits from clients that receive funds in excess of their person needs allowance and room and board payments. This rule will have the effect of reducing excessive and unnecessary payments to clients or their representative payees, and will help to prevent clients from being disqualified from Medicaid due to the availability of excess funding.

SUBJECT AREA TO BE ADDRESSED: Residential service fees; Section 402.33, Florida Statutes.

RULEMAKING AUTHORITY: 393.501(1), 402.33 FS.
 LAW IMPLEMENTED: 402.33 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 2, 2011, 9:00 a.m. – 11:00 a.m.
 PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Fran Blanton, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399, (850)922-4204, fran_blanton@apd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Fran Blanton, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399, (850)922-4204, fran_blanton@apd.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: 68D-24.144
 RULE TITLE: Monroe County Boating Restricted Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes reducing vessel speeds on the Florida Intracoastal Waterway within Monroe County where necessary to manage and promote the use of this state waterway for safe and enjoyable boating.

SUBJECT AREA TO BE ADDRESSED: Vessel speed limits on the Florida Intracoastal Waterway within Monroe County.

RULEMAKING AUTHORITY: 327.04, 327.46 FS.
 LAW IMPLEMENTED: 327.46 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Tuesday, December 13, 2011, 6:30 p.m. – 8:00 p.m.

PLACE: Murray E. Nelson Government Center, 102050 Overseas Highway, Key Largo, Florida 33037

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Captain Richard Moore, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600, (850)488-5600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: 68D-24.164
 RULE TITLE: Volusia County Boating Restricted Areas

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule changes reducing vessel speeds on the Florida Intracoastal Waterway within Volusia County where necessary to manage and promote the use of this state waterway for safe and enjoyable boating. Additionally we intend to fix inconsistencies between the rule text and the map identified as Drawing A.

SUBJECT AREA TO BE ADDRESSED: Vessel speed limits on the Florida Intracoastal Waterway within Volusia County.

RULEMAKING AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, December 14, 2011, 6:30 p.m. – 8:00 p.m.

PLACE: City of Ormond Beach Commission Chambers, 22 South Beach Street, Ormond Beach, Florida 32175

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Captain Richard Moore, Boating and Waterways Section, Division of Law Enforcement, 620 South Meridian St., Tallahassee, Florida 32399-1600, (850)488-5600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II
 Proposed Rules**

DEPARTMENT OF NATURAL RESOURCES

Division of Administration

RULE NOS.:	RULE TITLES:
16A-10.001	Adoption by Reference
16A-10.002	Definitions
16A-10.003	Department’s Status as a Legal Entity
16A-10.004	Standard Lease Agreement Form
16A-10.005	Multiple Leases
16A-10.006	Lease Extensions
16A-10.007	Standard Notice of Renewal
16A-10.008	Special Facilities for the Physically Disabled – Compliance with Standards
16A-10.009	Special Facilities for the Physically Disabled – Standards Waived or Modified

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is no longer required. Section 255.25, Florida Statutes, requires agencies to comply with the Department of Management Services’ Rule 60H-1.016, F.A.C.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Repealing this unnecessary rule will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 255.21, 255.25 FS.
 LAW IMPLEMENTED: 255.21, 255.25 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
 DATE AND TIME: December 15, 2011, 2:00 p.m.
 PLACE: Conference Room 628B, Douglas Building, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Heather Chapman, Office Manager, Office of General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS35, Tallahassee, Florida 32399-3000. Ms. Chapman may also be reached by email to Heather.Chapman@dep.state.fl.us. or by telephone at (850)245-2242. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paula Mueller, Division of Administrative Services, 3900 Commonwealth Boulevard, MS 60, Tallahassee, Florida 32399-3000, telephone number (850)245-2310 or e-mail: paula.mueller@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

16A-10.001 Adoption by Reference.

Rulemaking Specific Authority 255.25 FS. Law Implemented 255.25 FS. History–New 12-14-80, Formerly 16A-10.01, Repealed.

16A-10.002 Definitions.

Rulemaking Specific Authority ~~370.02(1)~~, 255.25 FS. Law Implemented 255.25(2) FS. History–New 12-14-80, Formerly 16A-10.02, Repealed.

16A-10.003 Department’s Status as a Legal Entity.

Rulemaking Specific Authority ~~370.02(1)~~, 255.25 FS. Law Implemented 255.25(2) FS. History–New 12-14-80, Formerly 16A-10.03, Repealed.

16A-10.004 Standard Lease Agreement Form.

Rulemaking Specific Authority ~~370.02(1)~~, 255.25 FS. Law Implemented 255.25(2)(b) FS. History–New 12-14-80, Formerly 16A-10.04, Repealed.

16A-10.005 Multiple Leases.

Rulemaking Specific Authority ~~370.02(1)~~, 255.25 FS. Law Implemented 255.25(8) FS. History–New 12-14-80, Formerly 16A-10.05, Repealed.

16A-10.006 Lease Extensions.

Rulemaking Specific Authority ~~370.02(1)~~, 255.25 FS. Law Implemented 255.25(8) FS. History–New 12-14-80, Formerly 16A-10.06, Repealed.

16A-10.007 Standard Notice of Renewal.

Rulemaking Specific Authority ~~370.02(1)~~, 255.25 FS. Law Implemented 255.25(2)(a) FS. History–New 12-14-80, Formerly 16A-10.07, Repealed.

16A-10.008 Special Facilities for the Physically Disabled – Compliance with Standards.

Rulemaking Specific Authority ~~370.02(1)~~, 255.25 FS. Law Implemented 255.21 FS. History–New 12-14-80, Formerly 16A-10.08, Repealed.

16A-10.009 Special Facilities for the Physically Disabled – Standards Waived or Modified.

Rulemaking Specific Authority 255.21~~(5)~~, 255.25(2) FS. Law Implemented 255.21~~(3)~~, ~~(4)~~, ~~(5)~~ FS. History–New 12-14-80, Formerly 16A-10.09, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cynthia Kelly, Director, Division of Administrative Services
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NO.: 18-14.004
 RULE TITLE: Applicability
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.
 SUMMARY: Chapter 18-14, F.A.C., “Administrative Fines For Damaging State Lands or Products Thereof,” provides for the imposition of fines against a person who willfully damages state land, willfully damages or removes products from state land in violation of state or federal law, or knowingly refuses to comply with or willfully violates the provisions of Chapter 253, F.S. Rule 18-14.004, F.A.C., provides that an activity authorized by the Board of Trustees and conducted in conformance with Board of Trustees’ authorization is not a violation. The rule is unnecessary as the chapter is predicated on a violation of Chapter 253, F.S., or a violation of Board of Trustees’ authority.
 This rule is also part of proposed amendments to the entire chapter that were published in the November 24, 2010, Florida Administrative Weekly. In January, the Governor required agencies to review their rules to determine whether any could

be repealed as unnecessary or no longer needed. The Department is now proposing to repeal 18-21.004, F.A.C. Therefore, depending on the timing of adopting the proposed rule and repeal of Rule 18-14.004, F.A.C., whichever action occurs first will determine how the other is handled. If this repeal precedes the amendments to Chapter 18-14, F.A.C., then the Department will publish a notice withdrawing Rule 18-14.004, F.A.C., from that rulemaking prior to filing those amendments for adoption.

OTHER RULES INCORPORATING THIS RULE: Chapter 18-14, F.A.C., is incorporated by specific reference in paragraph 18-21.004(7)(c), subparagraphs 18-21.008(1)(b)3. and 18-21.008(1)(b)4., F.A.C., sub-subparagraphs 18-21.008(1)(b)5.a. and 18-21.008(1)(b)5.b., F.A.C., and paragraphs 18-21.021(2)(c), 18-21.021(4)(b), and 18-21.021(6)(f), F.A.C.

EFFECT ON THOSE OTHER RULES: The amendments to Chapter 18-14, F.A.C., have no effect on the above referenced rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is not required by statute and is being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 253.04(2) FS.

LAW IMPLEMENTED: 253.04 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 11, 2012, 8:00 a.m., ET

PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400, telephone (850)245-8486, or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-1027) (This rule was included in a proposed rule published 11/24/10 under OGC No. 08-0631.)

THE FULL TEXT OF THE PROPOSED RULE IS:

18-14.004 Applicability.

Rulemaking Specific Authority 253.04(2) FS. Law Implemented 253.04 FS. History—New 7-7-85, Formerly 16Q-14.04, Transferred from 16Q-14.004, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Internal Improvement Trust Fund

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2011

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-18.011	Agreements
18-18.016	Enforcement

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary

SUMMARY: Repeal Rules 18-18.011 and 18-18.016, F.A.C, Biscayne Bay Aquatic Preserve, as the rule is duplicative of Florida Statutes, rendering the rule unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 258.397(4) FS.

LAW IMPLEMENTED: 258.397(3), 258.397(7), 258.46 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: TBA

PLACE: TBA

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Larry Nall, Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas, 3900 Commonwealth Blvd., M.S. 235, Tallahassee, FL 32399-3000, telephone (850)245-2097

THE FULL TEXT OF THE PROPOSED RULES IS:

18-18.011 Agreements.

Specific Authority 258.397(4) FS. Law Implemented 258.397(3) FS. History—New 3-20-80, Formerly 16Q-18.11, 16Q-18.011, Repealed.

18-18.016 Enforcement.

Specific Authority 258.397(4) FS. Law Implemented 258.397(7), 258.46 FS. History—New 3-20-80, Formerly 16Q-18.16, 16Q-18.016, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry Nall, Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-20.008	Inclusion of Lands, Title to Which is Not Vested in the Board, in a Preserve
18-20.009	Establishment or Expansion of Aquatic Preserves

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal ch. 18-20.008 and ch. 18-20.009, F.A.C., Florida Aquatic Preserves, as the rule is duplicative of Florida Statutes, rendering the rule unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 258.43(1) FS.

LAW IMPLEMENTED: 258.40, 258.41 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: TBA

PLACE: TBA

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry Nall, Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas, 3900 Commonwealth Blvd, M.S. 235 Tallahassee, FL 33399

THE FULL TEXT OF THE PROPOSED RULE IS:

18-20.008 Inclusion of Lands, Title to Which is Not Vested in the Board, in a Preserve.

Specific Authority 258.43(1) FS. Law Implemented 258.40, 258.41 FS. History—New 2-25-81, Formerly 16Q-20.08, 16Q-20.008, Repealed.

18-20.009 Establishment or Expansion of Aquatic Preserves.

Specific Authority 258.43(1) FS. Law Implemented 258.41 FS. History—New 2-25-81, Formerly 16Q-20.09, 16Q-20.009, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Larry Nall, Florida Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas, 3900 Commonwealth Blvd, M.S. 235, Tallahassee, FL 32399

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-21.001	Intent
18-21.00405	Grandfather Provisions
18-21.0081	Grandfather Structure Applications

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 18-21.001, F.A.C., sets out the intent of rule Chapter 18-21, F.A.C., repeating the Board of Trustees' role as fiduciary to manage and control state lands. This text duplicates Sections 253.03 and 253.12, F.S., and is therefore unnecessary.

Rules 18-21.0405 and 18-21.0081, F.A.C., set out the program to register existing structures on sovereign submerged lands under the Grandfather Structure Registration program. Registration originally ended June 30, 1984, and was extended to April 1, 1991. All registered structures were required to obtain a lease by January 1, 1998. The program has ended. As a result, the rules are now unnecessary.

OTHER RULES INCORPORATING THIS RULE: There are no other chapters or rules that incorporate the rules proposed for repeal.

EFFECT ON THOSE OTHER RULES: These rules are not incorporated by other chapters or rules; therefore, there will be no effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rules are not required by statute and are being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 253.03, 253.03(7), 253.77 FS., Art. X, Sec. 14, Fla. Const.

LAW IMPLEMENTED: 253.03, 253.077, 253.12 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 11, 2012, 9:15 a.m., ET
PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400, telephone (850)245-8486, or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-1026)

THE FULL TEXT OF THE PROPOSED RULES IS:

18-21.001 Intent.

~~Rulemaking Specific~~ Authority 253.03(7) FS., Art. X, Sec. 14, Fla. Const. Law Implemented 253.03, 253.12 FS. History--New 3-27-82, Formerly 16Q-21.01, 16Q-21.001, Amended 9-1-09, Repealed.

18-21.00405 Grandfather Provisions.

~~Rulemaking Specific~~ Authority 253.03, 253.77 FS. Law Implemented 253.77 FS. History--New 3-15-90, Repealed.

18-21.0081 Grandfather Structure Applications.

~~Rulemaking Specific~~ Authority 253.03(7) FS. Law Implemented 253.03, 253.077 FS. History--New 8-1-83, Formerly 16Q-21.081, 16Q-21.0081, Amended 3-15-90, 8-10-05, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Trustees of the Internal Improvement Trust Fund

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2011

DEPARTMENT OF CORRECTIONS

RULE NO.:	RULE TITLE:
33-108.101	Inmate Substance Abuse Testing

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the amount of time an inmate may spend in a dry cell as a result of a claimed inability to urinate in the presence of others and to clarify that for drugs for which there is no on-site test, the specimen shall be sent directly to the laboratory for testing.

SUMMARY: The proposed rule clarifies that for those who claim an inability to urinate in front of others, time in a dry cell is limited to one hour. The rule also clarifies that specimens shall be sent directly to the lab for testing if there does not exist an on-site test for the drug being tested.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Based on information provided by the Bureau of Substance Abuse, the rule will only affect internal operations, will not have a negative economic impact or affect small business, and is therefore not expected to require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 944.09, 944.473 FS.

LAW IMPLEMENTED: 944.09, 944.472, 944.473 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-108.101 Inmate Substance Abuse Testing.

The Office of the Inspector General shall be responsible for the development and implementation of the department's substance abuse testing program.

(1) through (2) No change.

(3) Procedures.

(a) through (c) No change.

(d) If an inmate claims an inability to urinate in front of or in the presence of others, the tester shall collect the urine specimen under the conditions outlined in subparagraphs (3)(c)1.-6. In this circumstance, the inability to urinate is not treated as a medical condition, and the officer does not need to verify with medical staff that the inmate possesses a specific medical condition or is taking medication that inhibits the inmate from urinating within the designated time frame. However, such inmates shall be limited to up to one hour in the dry cell rather than two.

(e) Testing of urine specimens.

1. through 4. No change.

5. In instances wherein an on-site testing device does not exist for the drug being tested, the sample shall be sent directly to the lab.

5. through 7. renumbered 6. through 8. No change.

(f) through (h) No change.

Rulemaking Authority 944.09, 944.473 FS. Law Implemented 944.09, 944.472, 944.473 FS. History—New 2-8-00, Amended 2-5-01, Formerly 33-602.2045, Amended 7-2-02, 2-19-07, 7-29-08, 8-26-09, 2-10-10, 11-28-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Russell Hosford, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 21, 2011

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.101
 RULE TITLE: Incentive Gain Time

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to clarify when an inmate may be ineligible for gain time.

SUMMARY: The proposed rule clarifies when an inmate is ineligible to earn incentive gain time following receipt of a disciplinary report.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Based on analysis from the Bureau of Classification and Central Records indicating that the rule change only impacts internal operations of the Department's classification system and would not have an impact on small business or the private sector, the rule is not expected to require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 944.09, 944.275, 944.281 FS.

LAW IMPLEMENTED: 944.09, 944.275, 944.281, 944.801(3)(i)5. FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.101 Incentive Gain Time.

(1) through (2) No change.

(3) How credited. For inmates eligible to receive consideration under this section, the following procedures shall be used.

(a) Each inmate eligible for consideration for award of incentive gain time shall receive gain time evaluations based upon his institutional adjustment as reflected in evaluations from security, work and program components, if assigned. If it becomes necessary to make corrections to the inmate's monthly security, work or program evaluations after the evaluations have already been submitted, the request for correction along with the reasons for the correction shall be submitted in writing to the department head for approval. The approved corrections shall be submitted to the classification ~~correctional probation~~ officer or his designee who shall make the necessary changes.

1. through 4. No change.

(b) The classification ~~correctional probation~~ officer or designee shall evaluate the security and performance ratings which reflect the inmate's institutional adjustment for the month. The final determination of an award of incentive gain time shall be determined by the classification ~~correctional probation~~ officer or designee and shall be based on the inmate's overall monthly activities. When the classification ~~correctional probation~~ officer or designee concurs with the preliminary base gain time recommendation being applied no modification is required. The preliminary base gain time recommendation may be modified by the classification ~~correctional probation~~ officer as reflected by the inmates overall institutional adjustment and level of work and program participation for the month. The classification ~~correctional probation~~ officer or designee may modify the preliminary base gain time recommendation upward or downward from 1 to 4 days not to exceed the maximum eligible award. Any time the classification ~~correctional probation~~ officer or designee modifies the preliminary base gain time recommendation, the reason for the modification shall be noted. These modifications will be applied to the preliminary base gain time recommendation reflective of the overall rating derived from the security and performance evaluation or security evaluation alone. Reasons for modification of the preliminary base gain time recommendation include:

1. through (5) No change.

(6) Inmates in disciplinary confinement status are not eligible for a work/program rating even if assigned to work or programs while in disciplinary confinement. Inmates in disciplinary confinement are eligible for a security rating

award which can be modified by the classification ~~correctional probation~~ officer in accordance with paragraph 33-601.101(3)(b), F.A.C.

(a) Disciplinary or court action. An inmate is not eligible to receive incentive gain time for the month in which there is an infraction of the rules of the Department or the laws of the State for which he is found guilty. Additionally, those inmates on escape status and detained by other agencies may not be awarded incentive gain time for the period of time out of custody even though lodged in another confinement facility. ~~Any inmate who is found guilty of a disciplinary report on or after July 15, 2009 and who is serving a sentence imposed for an offense committed on or after October 1, 1995 shall be eligible to earn incentive gain time as follows:~~

~~1. For disciplinary reports in which the final approved action is not confinement or loss of gain time or where the final recommended action is probation, pursuant to paragraph 33-601.308(3)(b), F.A.C., the inmate shall be eligible to earn incentive gain time the month following the month in which the disciplinary infraction occurred. However, if the inmate violates the probation and the original penalty meets the requirements of subparagraphs 2. and 3. below, the inmate is then subject to the limitations on earning incentive gain time as noted.~~

~~2. For disciplinary reports in which the final approved action is less than or equal to 30 days confinement or less than or equal to 30 days loss of gain time, the inmate shall not be eligible to earn incentive gain time for one month following the month in which the disciplinary infraction occurred. The one month period of ineligibility shall not begin to run until the inmate is in the department's custody and would be otherwise eligible to earn gain time but for the disciplinary action or new offense.~~

~~3. For disciplinary reports in which the final approved action is greater than 30 days confinement or greater than 30 days loss of gain time, or where the inmate was convicted of an offense occurring while committed to the Department of Corrections, the inmate shall not be eligible to earn incentive gain time for two months following the month in which the disciplinary infraction or offense occurred. The two month period of ineligibility shall not begin to run until the inmate is in the department's custody and would be otherwise eligible to earn gain time but for the disciplinary action or new offense.~~

~~4. The period of ineligibility referenced in subparagraphs 2. and 3. shall be suspended if the inmate leaves the custody of the department before completion of the period of ineligibility. The period of ineligibility will resume upon the inmate's return to department custody and will continue to run until its completion.~~

~~5. The failure to serve the confinement imposed does not alter the ineligibility of the inmate to earn incentive gain time as noted in subparagraphs 2. and 3.~~

6. ~~The ineligibility of the inmate to earn gain time as noted in subparagraphs 2. and 3. remains in effect when, due to unavailability of gain time, unearned gain time is designated as the final approved action.~~

(b) through (8) No change.

Rulemaking Authority 944.09, 944.275, 944.281 FS. Law Implemented 944.09, 944.275, 944.281, 944.801(3)(i)5. FS. History—New 2-26-80, Amended 1-12-83, 1-31-85, 10-7-85, Formerly 33-11.065, Amended 4-28-87, 7-12-89, 7-17-90, 10-16-90, 10-14-91, 2-17-93, 4-17-94, 7-17-94, 4-21-96, 6-1-97, 10-7-97, 3-11-98, 5-12-98, 7-9-98, 9-17-98, Formerly 33-11.0065, Amended 7-15-09, 4-19-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Russell Hosford, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 15, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 16, 2011

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.732
 RULE TITLE: Reinstatement of Suspended Visiting Privileges

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to update terminology.

SUMMARY: The proposed rule updates terminology to reflect other changes to visitation rules within Chapter 33-601, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Based on analysis from the Bureau of Classification and Central Records indicating that the rule change only impacts internal operations regarding visitation and would not have an impact on small business or the private sector, the rule is not expected to require legislative ratification.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09, 944.23, 944.8031 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.732 Reinstatement of ~~Revoked or~~ Suspended Visiting Privileges.

(1) The warden or designee shall approve or deny requests for reinstatement of an inmate’s suspended visiting privileges. The inmate shall submit a written request for reinstatement to the warden on Form DC6-236, Inmate Request. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(a) Reinstatement of indefinitely ~~privileges~~ privileges suspended ~~for more than two years~~ shall only be considered after two years from imposition.

1. The warden or designee shall review the request, render a final decision and notify the inmate concerned.

2. Should the inmate be denied reinstatement, the inmate may not make another request for one year from the last decision requesting reinstatement.

(b) ~~Privileges Reinstatement of privileges~~ suspended for two years or less shall not be considered for reinstatement for a period of one year. Should the inmate be denied, the inmate may not make another request for six months from the last decision requesting reinstatement.

(c) Privileges suspended for ~~Early reinstatement of suspensions of~~ one year or less shall not be considered for reinstatement until at least six months from the date of suspension. Should the inmate be denied reinstatement, the inmate may not make another request.

(d) The warden or designee shall consider the following factors in considering whether an inmate’s visitation privileges shall be reinstated:

1. Whether reinstatement will pose a threat to the security of visiting operations, based on the inmate’s disciplinary record and classification status as determined by Rule 33-601.210, F.A.C.;

2. The severity of the offense(s) for which visiting privileges were suspended;

3. Whether reinstatement of visiting privileges will benefit the inmate’s successful reentry into society by facilitating maintenance of community and family ties.

(2) The warden or designee shall approve or deny requests for reinstatement of a visitor’s ~~revoked or~~ suspended visiting ~~privileges~~ privilege. The visitor, or inmate on behalf of the affected visitor, shall submit a written request for reinstatement of privileges to the assigned institutional classification officer. The visitor for whom the reinstatement is being considered shall submit a Request for Visiting Privileges, Form DC6-111A, if the suspension has been for longer than six months.

(a) Reinstatement of ~~indefinitely suspended~~ ~~revoked~~ privileges shall only be considered after two years from imposition.

1. The warden or designee shall review the request, render a final decision and notify the visitor concerned.

2. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request for one year from the last decision requesting reinstatement.

(b) ~~Privileges~~ ~~Reinstatement of privileges~~ suspended for two years or less shall not be considered for reinstatement for a period of one year. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request for six months from the last decision requesting reinstatement.

(c) Early reinstatement of suspensions of one year and under shall not be considered ~~for reinstatement~~ until at least six months from the date of suspension. Should the visitor be denied reinstatement, the inmate or suspended visitor may not make another request.

(d) The warden or designee shall consider the following factors in considering whether an visitor's visitation privileges shall be reinstated:

1. The severity of the offense(s) for which visiting privileges were suspended:

2. The relationship between the visitor and the inmate, such as a whether the visitor is a family member.

~~Rulemaking Specific~~ Authority 944.09, ~~944.23~~ FS. Law Implemented 944.09, 944.23, 944.8031 FS. History--New 11-18-01, Amended 5-27-02, 9-29-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Russell Hosford, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 7, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 23, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-6.034
 RULE TITLE: Administrative Enforcement

PURPOSE AND EFFECT: This rule will be repealed.

SUMMARY: The rule repeats statutory requirements and is not mandated by statute.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to Section 120.54(3), F.S., as there will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness and no increase in regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 483.291 FS.

LAW IMPLEMENTED: 483.317, 483.32 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 3, 2012, 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Dr. Building 3, Conference Room C, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karen Rivera, AHCA Laboratory Unit, 2727 Mahan Drive, MS #32, Tallahassee, FL 32308

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-6.034 Administrative Enforcement.

~~Rulemaking Specific~~ Authority 483.291 FS. Law Implemented 483.317, 483.32 FS. History--New 3-20-94, ~~Repealed~~ _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen Rivera

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: 59A-7.038, 59A-7.039
 RULE TITLES: Administrative Hearings, Administrative Enforcement

PURPOSE AND EFFECT: These two rules within Chapter 59A-7, F.A.C., will be repealed.

SUMMARY: These two rules repeat statutory requirements and are not mandated by statute.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to Section 120.54(3), F.S., as there will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness and no increase in regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 483.051 FS.

LAW IMPLEMENTED: 483.051, 483.201, 483.221 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 3, 2012, 1:00 p.m. – 2:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Dr., Building 3, Conference Room C, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Karen Rivera, AHCA Laboratory Unit, 2727 Mahan Drive, MS #32, Tallahassee, FL 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

59A-7.038 Administrative Hearings.

Rulemaking Specific Authority 483.051 FS. Law Implemented 483.051 FS. History–New 11-20-94, Repealed.

59A-7.039 Administrative Enforcement.

Rulemaking Specific Authority 483.051 FS. Law Implemented 483.201, 483.221 FS. History–New 11-20-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen Rivera

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 7, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-35.100 **RULE TITLE:** Minimum License Requirements

PURPOSE AND EFFECT: The proposed amendment would revise the uniform licensing rule on issuing licenses to more than one provider at the same physical address. Review of the law implemented cited for this rule has determined that there is not a specific statutory prohibition against issuance of more than one license at a physical address.

SUMMARY: This proposed rule will delete the prohibition against issuance of more than one license at a physical address.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 408.819 FS.

LAW IMPLEMENTED: 408.810 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 15, 2011, 10:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room B, 2727 Mahan Drive, Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kaylyn Boles, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)412-4339. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Saliba, Office of General Counsel, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)412-3666

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-35.100 Minimum Licensure Requirements.

Provider location.

(1) A licensee must maintain proper authority for operation of the provider at the address of record. If such authority is denied, revoked or otherwise terminated by the local zoning or code enforcement authority, the Agency may deny or revoke an application or license, or impose sanctions.

~~(2) With the exception of federally authorized clinical laboratories, more than one license will not be issued to operate the same provider types at the identical physical or street address. Existing licensees must comply with this paragraph upon license renewal.~~

Rulemaking Authority 408.819 FS. Law Implemented 408.810 FS. History—New 7-14-10, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Richard Saliba

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 2, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-5.008
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to define a major modification as it relates to the limitation on the Phase II Firefighters’ Service exemption enacted by Chapter 2010-110, Laws of Florida, correct a statute citation, accurately reflect requirements and eliminate confusing terminology.

SUMMARY: The proposed rule defines what constitutes a major modification, as used in Section 399.02(9), Florida Statutes, which would require an elevator to comply with the Phase II Firefighters’ Service requirements. The proposed rule also amends the definitions to specify a course instructor teaches or leads a continuing education course; that current satisfactory inspections must be completed by certified elevator inspectors; state the type of renewal application that requires a current satisfactory inspection; and update a statute citation to conform to changes made by Chapter 2010-110, Laws of Florida.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 399.01, 399.02, 399.07 FS.

LAW IMPLEMENTED: 399.01, 399.02, 399.061, 399.07, 399.13 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, Telephone: (850)488-1133, E-mail: Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-5.008 Definitions.

When used in this rule chapter, the following terms shall have these meanings:

(1) through (4) No change.

(5) “Course instructor” means the person appointed by the course provider to teach or otherwise lead ~~actually conduct~~ an approved course.

(6) “Current satisfactory inspection” means an inspection completed by a certified elevator inspector on or after August 1 of the previous year that is the most recent annual inspection conducted ~~prior to submission of the current application for renewal~~ and that contains no violations.

(7) “Direct supervision” means a certificate of competency holder supervising an elevator helper as set forth in Section 399.01(15)(16), F.S., is within physical proximity of the person being directly supervised such that timely observation and evaluation of the work being performed is facilitated to ensure the work is completed in accordance with applicable statutory and administrative code requirements.

(8) “Major modification” as used in Section 399.02(9), F.S., means any change in the type of service, motion control, or operation control; any alteration to the controller or the

firefighters' emergency operation; or the addition of an elevator to an existing group of elevators as described in ASME A17.1, Section 8.7, as adopted by reference.

(9) "Replacement" as the term relates to alterations, means the removal of a device, component or subsystem in its entirety and installation of an equivalent device, component, or subsystem that performs in the same manner and does not require modification or a rating change to the existing equipment, add new functionality, or violate any provision of Chapter 399, F.S., this rule, or the elevator safety codes adopted in Rule 61C-5.001, F.A.C.

(10)(8) "Session" means each distinct occasion a course is conducted.

(11)(9) "Syllabus" means a detailed outline of the course content to a level of detail that sufficiently demonstrates the relevance required by subsection 61C-5.008(3), F.A.C.

Rulemaking Specific Authority 399.01, 399.02, 399.07 FS. Law Implemented 399.01(47), 399.02, 399.061, 399.07 FS. History—New 11-9-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bill L. Veach, Director, Division of Hotels and Restaurants,
Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 2, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 30, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-5.018
RULE TITLE: Variances

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to implement the statutory requirement to adopt rules regarding the process for variance requests enacted by Chapter 2010-110, Laws of Florida, and adopt an optional variance petition form.

SUMMARY: The proposed rule specifies that elevator variance requests will be processed under the variance petition requirements in Section 120.542, Florida Statutes, and provides the mailing address to submit the petition. The proposed rule also adopts an optional variance petition form and specifies bureau and elevator owner responsibilities for variance requests.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 399.02, 399.10 FS.

LAW IMPLEMENTED: 399.02 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1011, Telephone: (850)488-1133, E-mail: Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-5.018 Variances.

(1) The division may grant variances from rule requirements when the applicant demonstrates the existence of a substantial hardship, as defined in Section 120.542(2), F.S.

(2) Variance requests must be submitted by petition as described in Section 120.542, F.S. and rules adopted thereunder. The division provides DBPR Form HR 5023-018, PETITION FOR VARIANCE FROM RULE, (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00773>) incorporated herein by reference and effective 2010 October 14, as an optional petition for variance. A copy of DBPR Form HR 5023-18 is available on the Division of Hotels and Restaurants website at www.MyFloridaLicense.com/dbpr/hr; by e-mail to dh.elevators@dbpr.state.fl.us; or upon written request to the Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. Each variance request must be accompanied by a copy of the certificate of operation, if issued, and supportive materials and documents providing the information necessary for rendering a decision. The applicant is responsible for demonstrating a substantial hardship exists and presenting facts relevant to and supportive of the variance request.

(3) Upon consideration of the merits of each variance request, the director or designee must either grant a variance, as requested, or deny the variance request.

(4) The owner or lessee of an elevator which has a variance approved by the division is responsible for maintaining a copy of the approved variance in the machine room at the physical location of the elevator and available for review during an elevator inspection.

Rulemaking Authority 399.02, 399.10 FS. Law Implemented 399.02 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bill Veach, Director, Division of Hotels and Restaurants,
Department of Business and Professional Regulation
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Ken Lawson, Secretary, Department of
Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: November 1, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: July 30, 2010

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
61G1-11.005 Probable Cause Determinations
PURPOSE AND EFFECT: The Board proposes the rule
amendment in order to increase the number of members on the
Probable Cause Panel.
SUMMARY: The number of members on the Probable Cause
Panel will be increased.
SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST AND LEGISLATIVE
RATIFICATION:

During discussion of the economic impact of the rule at its
Board meeting, the Board, based upon the expertise and
experience of its members, determined that a Statement of
Estimated Regulatory Cost (SERC) was not necessary and that
the rule amendment will not require ratification by the
Legislature. No person or interested party submitted additional
information regarding the economic impact at that time. The
Board has determined that this rule will not have an adverse
impact on small business, or likely increase regulatory costs in
excess of \$200,000 in the aggregate within 1 year after
implementation of the rule.

Any person who wishes to provide information regarding the
statement of estimated costs, or to provide a proposal for a
lower regulatory cost alternative must do so in writing within
21 days of this notice.

RULEMAKING AUTHORITY: 455.225 FS.

LAW IMPLEMENTED: 455.225 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF
THIS NOTICE, A HEARING WILL BE SCHEDULED AND
ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Anthony Spivey, Executive Director,
Board of Architecture and Interior Design, 1940 North Monroe
Street, Tallahassee, Florida 32399-0750

THE TEXT OF THE PROPOSED RULE IS:

61G1-11.005 Probable Cause Determinations.

Probable cause determination as to violation of Chapters 455
and 481, F.S., and rules promulgated pursuant thereto shall be
made by a probable cause panel of at least three (3) Board
members. Said members shall be appointed as a standing
probable cause committee at the first board meeting of each
calendar year and shall serve for a period of one (1) year.
Former Board members, if willing to serve, may be appointed.
Any panel must include one of the Board's former or present
consumer members if one is available, willing to serve, and
authorized by the Board Chair. All proceedings of the probable
cause panel shall be conducted in accordance with Chapters
120 and 455, F.S.

Rulemaking Specific Authority 455.225 FS. Law Implemented
455.225 FS. History—New 12-23-79, Amended 2-3-81, Formerly
21B-11.05, Amended 8-20-89, Formerly 21B-11.005, Amended
6-8-00, 7-13-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Architecture and Interior Design
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Architecture and Interior Design
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 30, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 21, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-15.001 Qualification for Certification
PURPOSE AND EFFECT: The Board proposes the rule
amendment to modify the language for the alternative to
experience required under Section 489.111(2)(c)1.-3., Florida
Statutes, for swimming pool/spa servicing applicants.
SUMMARY: The rule amendment will modify the language
for the alternative to experience required under Section
489.111(2)(c)1.-3., Florida Statutes, and the forty hours of
instruction.

SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST: During the discussion of the economic
impact of this rule at its Board meeting, the Board, based upon
the expertise and experience of its members, determined that a

Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year of the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 489.108, 489.111 FS.

LAW IMPLEMENTED: 489.111 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.001 Qualification for Certification.

(1) through (4) No change.

(5) As an alternative to the experience required under Section 489.111(2)(c)1.-3., F.S., an applicant for certification as a swimming pool/spa servicing contractor must submit proof that he meets the requirements of Section 489.111(2)(c)6.d., F.S., by demonstrating one year of proven experience related to the scope of work of a swimming pool/spa servicing contractor as defined in Section 489.105(3)(l), F.S., performed under the supervision of a certified or registered commercial pool/spa, residential pool/spa, or pool/spa servicing contractor, and demonstrating satisfactory completion of a sixty-hour course of instruction, approved by the Board pursuant to Rule 61G4-18.004, F.A.C., and conducted by a course provider registered pursuant to Rule 61G4-18.003, F.A.C., that consists of the following:

(a) through (b) No change.

(c) Forty (40) hours of instruction utilizing the most recent edition of the Association of Pool & Spa Professionals "Service Tech Manual," National Spa and Pool Institute "Basic Pool and Spa Technology Textbook" (2001 edition), or substantially equivalent materials, and including instruction on the following topics: Structures – Pool Structures & Finishes; Spa & Hot Tub Structures, Finishes & Equipment Packs; Circulation System – Circulation & Piping; Hydraulics – Pumps, Pump Motors & Air Blowers, Filters, Heaters,

Chemical Feeders & Generators; Chemistry – Chemical Safety, Water Testing & Water Treatment; Water Treatment – Chlorine; Water Treatment – Other; Water Balance; Electrical System – Basic Electricity, Safety Requirements & Pool/Spa Electrical Equipment, Lighting, Controls, Controllers & Control Systems; Maintenance – Routine Maintenance, Season & Special Care, Covers; and Dewatering.

Rulemaking Specific Authority 489.108, 489.111 FS. Law Implemented 489.111 FS. History--New 1-6-80, Amended 12-16-80, 6-30-82, 4-11-83, Formerly 21E-15.01, Amended 12-11-90, 8-21-91, 4-16-92, Formerly 21E-15.001, Amended 7-18-94, 12-16-01, 2-6-03, 6-23-04, 1-15-07, 6-19-07, 11-26-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 11, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 4, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NOS.:	RULE TITLES:
61G19-6.004	Abandonment of Applications
61G19-6.007	Standard Certificates; In General
61G19-6.011	Limited Certificates

PURPOSE AND EFFECT: The rules are being repealed.

SUMMARY: The rules are being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact

on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 468.607, 468.609, 468.609(4)(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G19-6.004 Abandonment of Applications.

Rulemaking Specific Authority 468.606 FS. Law Implemented 468.607, 468.609 FS. History–New 5-23-94, Repealed.

61G19-6.007 Standard Certificates; In General.

Rulemaking Specific Authority 468.606 FS. Law Implemented 468.609(4) FS. History–New 5-23-94, Amended 3-17-98, Repealed.

61G19-6.011 Limited Certificates.

Rulemaking Specific Authority 468.606 FS. Law Implemented 468.609(5) FS. History–New 5-23-94, Amended 5-21-95, 8-6-97, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: RULE TITLE:

61G19-12.001 Delinquent Status

PURPOSE AND EFFECT: The rule is being repealed.

SUMMARY: The rule is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.271 FS.

LAW IMPLEMENTED: 455.271 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-12.001 Delinquent Status.

Rulemaking Specific Authority 455.271 FS. Law Implemented 455.271 FS. History–New 9-25-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Building Code Administrators and Inspectors Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 9, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NOS.:	RULE TITLES:
61J1-1.001	Membership
61J1-1.003	Chairperson
61J1-1.004	Minutes
61J1-1.005	Internal
61J1-1.006	Principal Office
61J1-1.007	Board Member Compensation
61J1-1.008	Authorized Signatures on Final Orders
61J1-1.011	Designation of Official Reporter

PURPOSE AND EFFECT: The Board proposes to repeal the rules because they duplicate what is otherwise provided for in statute or are otherwise procedural and unnecessary in nature.

SUMMARY: The rules will be repealed due to the fact that they duplicate what is otherwise provided for in statute or are otherwise procedural and unnecessary in nature.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.207, 475.614 FS.

LAW IMPLEMENTED: 120.52, 120.53, 120.569, 455.205, 455.207, 455.207(3), 455.225, 475.613 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULES IS:

61J1-1.001 Membership.

Rulemaking Specific Authority 475.614 FS. Law Implemented 455.207(3), 475.613 FS. History–New 10-15-91, Amended 11-8-92, Formerly 21VV-1.001, Repealed.

61J1-1.003 Chairperson.

Rulemaking Authority 475.614 FS. Law Implemented 455.207, 475.613 FS. History–New 10-15-91, Formerly 21VV-1.003, Amended 9-13-09, Repealed.

61J1-1.004 Minutes.

Rulemaking Specific Authority 475.614 FS. Law Implemented 120.53 FS. History–New 10-15-91, Formerly 21VV-1.004, Repealed.

61J1-1.005 Internal.

Rulemaking Specific Authority 475.614 FS. Law Implemented 120.53 FS. History–New 10-15-91, Formerly 21VV-1.005, Repealed.

61J1-1.006 Principal Office.

Rulemaking Specific Authority 475.614 FS. Law Implemented 120.53, 455.205 FS. History–New 10-15-91, Formerly 21VV-1.006, Repealed.

61J1-1.007 Board Member Compensation.

Rulemaking Specific Authority 455.207, 475.614 FS. Law Implemented 455.207, 475.613 FS. History–New 10-15-91, Formerly 21VV-1.007, Amended 3-8-95, Repealed.

61J1-1.008 Authorized Signatures on Final Orders.

Rulemaking Specific Authority 475.614 FS. Law Implemented 120.52, 120.53, 120.569, 455.225 FS. History–New 10-15-91, Formerly 21VV-1.008, Repealed.

61J1-1.011 Designation of Official Reporter.

Rulemaking Specific Authority 475.614 FS. Law Implemented 120.53(4) FS. History–New 9-22-93, Amended 9-6-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-7.008 Address of Record

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language concerning address of record.

SUMMARY: Clarifying language concerning address of record.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 455.275 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE TEXT OF THE PROPOSED RULE IS:

61J1-7.008 ~~Mailing~~ Address of Record.

(1) Pursuant to Section 455.275(1), Florida Statutes, the board defines “~~current mailing~~ address of record” as the mailing ~~current~~ address which is used by a registrant, licensee, certificate holder or permit holder to receive mail through the United States Postal Service.

(2) Each registrant, licensee, certificate holder and permit holder is required to notify the BPR in writing of ~~the current mailing address and~~ any changes in the current mailing address of record within 10 days after the change.

Rulemaking Specific Authority 475.614 FS. Law Implemented 455.275 FS. History—New 5-14-95, Amended 3-26-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 21, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-8.002
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment to include disciplinary guidelines for appraisal management company violations.

SUMMARY: Provide disciplinary guidelines for appraisal management company violations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.2273, 475.614 FS.

LAW IMPLEMENTED: 455.227, 475.622, 475.6221(3), 475.624, 475.626, 475.6245 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE TEXT OF THE PROPOSED RULE IS:

61J1-8.002 Disciplinary Guidelines.

(1) Pursuant to Section 455.2273, F.S., the Florida Real Estate Appraisal Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon licensees guilty of violating Chapter 455 or Part II, Chapter 475, F.S. (For purposes of this rule, the term licensee shall refer to registrants, license holders ~~or~~ certificate holders, or appraisal management companies.) The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which normally will be imposed for each count following a Section 120.57, F.S., hearing. The brief description of each violation is provided for quick reference

and is not meant to convey all elements of any given statutory provision; the full language of each statutory provision cited must be consulted in order to determine the conduct involved. For purposes of this rule, the order of penalties, ranging from lowest to highest, is: reprimand, fine, probation, suspension, and revocation or denial. Pursuant to Sections 475.624 or 475.6245, F.S., combinations of these penalties are permissible by law. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand, which may be included in the final penalty at the Board's discretion. Nothing in this rule shall preclude any discipline imposed upon a licensee pursuant to a stipulation or settlement agreement, nor shall the ranges of penalties set forth in this rule preclude the probable cause panel from issuing a letter of guidance in lieu of a finding of probable cause, where appropriate.

(2) As provided in Sections 475.624 or 475.6245, F.S., the Florida Real Estate Appraisal Board may, in addition to other disciplinary penalties, place a licensee on probation. The placement of the licensee on probation shall be for such a period of time and subject to such conditions as the Board may specify. Standard probationary conditions may include, but are not limited to, requiring the licensee: to attend pre-licensure courses; to satisfactorily complete a pre-licensure course; to attend and satisfactorily complete continuing education courses; to submit to reexamination through the state-administered examination, which must be successfully completed; to be subject to periodic inspections and interviews by an investigator of the Department of Business and Professional Regulation.

(3) The penalties are as listed unless aggravating or mitigating circumstances apply pursuant to subsection (4):

VIOLATION	PENALTY RANGE	
	FIRST VIOLATION	SECOND AND SUBSEQUENT VIOLATIONS
(a) Section 475.622(1), F.S. Failed to place the registration, license or certification number adjacent to or immediately beneath the state designation.	Up to 30 days suspension and an administrative fine of \$500.	Up to 90 days suspension and an administrative fine of \$1,000.
(b) Section 475.622(1), F.S. Failed to include the appropriate designation and number in an advertisement.	Up to 30 days suspension and an administrative fine of \$500.	Up to 90 days suspension and an administrative fine of \$1,000.
(c) Section 475.622(2), F.S. Failed to use the state registration, license or certification designation in any appraisal report.	Up to 30 days suspension and an administrative fine of \$500.	Up to 90 days suspension and an administrative fine of \$1,000.
(d) Section 455.227(1)(g), F.S., Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee.	Revocation and an administrative fine up to \$5,000.	Revocation and an administrative fine of \$5,000.

<p>(e) Section 475.624(2) or 475.6245(1)(b), F.S. Guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme or device, culpable negligence or breach of trust, or Section 455.227(1)(m), F.S.</p>	<p>In the case of fraud, misrepresentation and dishonest dealing, revocation and an administrative fine up to \$5,000.</p> <p>In the case of concealment, false promises and false pretenses, 3 to 5 year suspension and an administrative fine of \$1,000.</p> <p>In the case of culpable negligence and breach of trust, \$1,000 fine to a 1 year suspension.</p>	<p>Revocation and an administrative fine of \$5,000.</p> <p>Revocation and an administrative fine of \$5,000.</p> <p>Revocation and an administrative fine of \$5,000.</p>
<p>(f) Section 475.624(3) or 475.6245(1)(c), F.S. False, deceptive or misleading advertising, or Section 455.227(1)(a), F.S.</p>	<p>\$1,000 fine to a 1 year suspension.</p>	<p>Revocation and an administrative fine of \$5,000.</p>
<p>(g) Section 475.624(4) or 475.6245(1)(d), F.S. Violated any of the provisions of this section or any lawful order or rule issued under the provisions of this section or Chapter 455, F.S., or Section 455.227(1)(b), F.S.</p>	<p>Revocation and an administrative fine up to \$5,000.</p>	<p>Revocation and an administrative fine of \$5,000.</p>
<p>(h) Section 475.624(5) or 475.6245(1)(e), F.S. Convicted or found guilty of a crime related to appraising or <u>appraisal management company activities</u> or involves moral turpitude or fraudulent or dishonest dealing, or Section 455.227(1)(c), F.S.</p>	<p>Suspension to revocation and an administrative fine up to \$2,500.</p>	<p>Revocation and an administrative fine of \$5,000.</p>
<p>(i) Section 475.624(6) or 475.6245(1)(f), F.S. Has license disciplined or acted against or an application denied by another jurisdiction, or Section 455.227(1)(f), F.S.</p>	<p>Imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida or suspension of the license until the license is unencumbered in the jurisdiction, in which the disciplinary action was originally taken, and an administrative fine of \$1,000.</p>	<p>Revocation and an administrative fine of \$5,000.</p>
<p>(j) Section 475.624(7) or 475.6245(1)(g), F.S. Impairment by drunkenness, or use of drugs or temporary mental derangement.</p>	<p>Suspension for the period of incapacity and an administrative fine up to \$1,000.</p>	<p>Revocation and an administrative fine of \$5,000.</p>

<p>(k) Section 475.624(8) or 475.6245(1)(h), F.S. Confined in jail, prison or mental institution; or through mental disease can no longer practice with skill or in a confidential capacity.</p>	<p>Suspension and an administrative fine up to \$1,000.</p>	<p>Revocation and an administrative fine of \$5,000.</p>
<p>(l) Section 475.624(9) or 475.6245(1)(i), F.S. Failed to give the Board written notice within 30 days after a guilty or nolo contendere plea or having been convicted of any felony.</p>	<p>5 year suspension to revocation and an administrative fine of \$1,000.</p>	<p>Revocation and an administrative fine of \$5,000.</p>
<p>(m) Section 475.624(10) or 475.6245(1)(j), F.S. Guilty for the second time of misconduct in the practice of real estate appraisal that demonstrates incompetent dishonest or negligent dealings with those persons with whom the licensee sustains a confidential relationship.</p>	<p>Suspension to revocation and an administrative fine up to \$5,000.</p>	<p>Revocation and an administrative fine of \$5,000.</p>
<p>(n) Section 475.624(11) or 475.6245(1)(k), F.S. Has made or filed a report or record which the licensee knows to be false or willfully failed to file a report or record or willfully impeded such filing as required by state or federal law, or Section 455.227(1)(l), F.S.</p>	<p>Suspension to revocation and an administrative fine up to \$2,500.</p>	<p>Revocation and an administrative fine of \$5,000.</p>
<p>(o) Section 475.624(12) or 475.6245(1)(l), F.S. Obtained a license by fraud, misrepresentation or concealment, or Section 455.227(1)(h), F.S.</p>	<p>Revocation.</p>	<p>Revocation.</p>
<p>(p) Section 475.624(13) or 475.6245(1)(m), F.S. Has paid money or other consideration to a member of the Board or employee of the Board to obtain a license registration or certification, or Section 455.227(1)(h), F.S.</p>	<p>Revocation.</p>	<p>Revocation.</p>
<p>(q) Section 475.624(14) or 475.6245(1)(n), F.S. Has violated any standard for the development or communication of a real estate appraisal or other provision of the Uniform Standards of Professional Appraisal Practice.</p>	<p>Probation up to a 1 year suspension.</p>	<p>Up to 5 year suspension to revocation and an administrative fine of \$5,000.</p>

(r) Section 475.624(15) <u>or</u> 475.6245(1)(o), F.S. Has failed or refused to exercise reasonable diligence in developing or preparing an appraisal report.	5 year suspension to revocation and an administrative fine of \$1,000.	Up to 5 year suspension to revocation and an administrative fine of \$5,000.
(s) Section 475.624(16) <u>or</u> 475.6245(1)(p), F.S. Has failed to communicate an appraisal without good cause.	\$1,000 fine to a 1 year suspension.	Up to 5 year suspension to revocation and an administrative fine of \$5,000.
(t) Section 475.624(17) <u>or</u> 475.6245(1)(q), F.S. Has accepted an appraisal assignment contingent upon the licensee reporting a predetermined result, analysis or opinion.	30 day suspension up to revocation.	Revocation.
(u) Section 475.624(18) <u>or</u> 475.6245(1)(r), F.S. Has failed to timely notify the department of any change in business location, or has failed to fully disclose all business locations from which he operates as an appraiser.	Up to 90 days suspension and an administrative fine of \$500.	Up to 6 month suspension and an administrative fine of \$1,000.
(v) Section 475.626(1)(a), F.S. Has practiced without a valid and current license, registration or certification.	5 year suspension to revocation and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(w) Section 475.626(1)(b), F.S. Has violated any order or rule of the Board.	Revocation and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(x) Section 475.626(1)(d), F.S. Made a false affidavit or affirmation or gave false testimony before the Board.	Up to 5 years suspension to revocation and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(y) Section 475.626(1)(e), F.S. Failed to comply with subpoena issued by the Department of Business and Professional Regulation, or Section 455.227(1)(q), F.S.	Up to 5 years suspension to revocation and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(z) Section 475.626(1)(f), F.S. Obstructed or hindered the enforcement of Part II of Chapter 475, F.S., or Section 455.227(1)(r), F.S.	Up to 5 years suspension to revocation and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(aa) Section 475.626(1)(g), F.S. Knowingly concealed information relating to violations of Chapter 475, F.S., Part II	Up to 90 days suspension and an administrative fine of \$1,000.	Up to 5 year suspension and an administrative fine of \$5,000.

(bb) Section 475.6221(3), F.S. Supervisory appraiser employed by a trainee appraiser.	Revocation and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.
(cc) Section 475.6222, F.S. Failure to provide direct supervision or training of trainee appraiser.	Revocation and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.
(dd) Section 455.227(1)(j), F.S. Aiding unlicensed activity	Revocation and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.
(ee) Section 455.227(1)(k), F.S. Failure to perform any statutory or legal obligation.	Up to 5 years suspension and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.
(ff) Section 455.227(1)(n), F.S. Exercising influence on client for licensee's or third party's financial gain.	Up to 5 years suspension and an administrative fine of \$5,000.	Revocation and an administrative fine of \$5,000.
(gg) Section 455.227(1)(o), F.S. Practicing or offering to practice beyond permitted scope.	Up to a 5 year suspension and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(hh) Section 455.227(1)(p), F.S. Delegating beyond permitted scope.	Up to a 5 year suspension and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(ii) Section 455.227(1)(t), F.S. Failure to timely report being convicted or found guilty of, or entering a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction (more than 30 days late).	Reprimand and an administrative fine of \$1,000.	Revocation and an administrative fine of \$5,000.
(jj) Section 475.6245(1)(s), F.S. <u>Has influenced or attempted to influence the development, reporting, or review of an appraisal through coercion, extortion, collusion, compensation, inducement, intimidation, bribery, or other means.</u>	<u>Revocation and an administrative fine of \$5,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>
(kk) Section 475.6245(1)(t), F.S. <u>Has altered, modified, or otherwise changed a completed appraisal report submitted by an appraiser to an appraisal management company.</u>	<u>Revocation and an administrative fine of \$5,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>
(ll) Section 475.6245(1)(u), F.S. <u>Has employed, contracted with, or otherwise retained an appraiser whose registration, license, or certification is suspended or revoked to perform appraisal services or appraisal management services.</u>	<u>Up to revocation and an administrative fine of \$5,000.</u>	<u>Revocation and an administrative fine of \$5,000.</u>

(4)(a) When either the petitioner or respondent is able to demonstrate aggravating or mitigating circumstances to the Board by clear and convincing evidence, the Board shall be entitled to deviate from the above guidelines in imposing discipline upon a licensee. Whenever the petitioner or respondent intends to introduce such evidence to the Board in a Section 120.57(2), F.S., hearing, advance notice of no less than seven (7) days shall be given to the other party or else the evidence can be properly excluded by the Board.

(b) Aggravating or mitigating circumstances may include, but are not limited to, the following:

1. through 6. No change.

Rulemaking Authority 455.2273, 475.614 FS. Law Implemented 455.227, 475.622, 475.6221(3), 475.624, 475.626, 475.6245 FS. History—New 1-7-92, Formerly 21VV-8.002, Amended 1-9-94, 8-17-97, 6-8-03, 12-4-06, 11-25-07, 1-11-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 21, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
61J1-8.005 Revocation

PURPOSE AND EFFECT: The Board proposes the rule amendment to include requirements for appraisal management companies.

SUMMARY: Requirements for appraisal management companies will be included in the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 455.227, 475.614 FS.
LAW IMPLEMENTED: 455.227 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801.

THE TEXT OF THE PROPOSED RULE IS:

61J1-8.005 Revocation.

(1) No change.

(2) An individual whose registration, license or certification has been revoked for the above listed violation may not apply for registration for a period of five (5) years after the date of filing of the final order revoking the registration, license or certification. The applicant must meet all the requirements for initial registration as a registrant. Certification, licensure or registration will be based upon the criteria listed in Sections 475.615 and 475.624, F.S. or Sections 475.6235 and 475.6245, F.S. as applicable.

Rulemaking Specific Authority ~~455.227~~, 475.614 FS. Law Implemented ~~455.227(5)~~ FS. History—New 3-26-96, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2011.
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 21, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-1.003 Forms and Instructions Used by the Department of Environmental Protection

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is no longer needed, because these forms are no longer used by the Department.

OTHER RULES INCORPORATING THIS RULE: Chapter 62-1 is referenced by Rules 62-4.120, 62-17.540, 62-45.060, 62-45.110, .040, 62-113.200, 62-330.200, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed repeals will have no substantive effect on the rule sections that cross reference chapter 62-1, F.A.C., because the forms listed in rule 62-1.003 are obsolete.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The forms identified in this rule are no longer used by the Department. As a result, the repeal of this rule will not have a regulatory cost to the public or the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 20.25 FS.

LAW IMPLEMENTED: 120.53 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 11, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 E. Paul Dirac Drive (Collins Building), Large Conference Room, Tallahassee, FL 32310-3760

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Lisa Robertson at (850)488-8217. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stacey Cowley, Department of Environmental Protection, Office of General Counsel, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, (850)245-2219 or e-mail: stacey.cowley@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-1.003 Forms and Instructions Used by the Department of Environmental Protection.

Rulemaking Specific Authority 20.25 FS. Law Implemented 120.53 FS. History—New 3-8-82, Formerly 16-7.01, 16-7.02, 16-7.002, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-4.060	Consultation
62-4.110	Financial Responsibility
62-4.150	Review
62-4.210	Construction Permits
62-4.220	Operation Permit for New Sources
62-4.240	Permits for Water Pollution Sources
62-4.249	Preservation of Rights
62-4.250	Water Pollution Temporary Operation Permits; Conditions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The sections proposed for repeal are either advisory in nature, repeat statutory provisions, duplicate requirements found in other rules of the agency, or are based on statutory authority that no longer exists. They are unnecessary and in some cases could create uncertainty over applicability.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed repeals remove unnecessary or outdated language. There are no costs associated with removing these sections, and in some cases costs may be reduced.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.021, 403.031, 403.061, 403.062, 403.088, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, 403.088, 403.091, 403.101, 403.121, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 10, 2011, beginning at 10:00 am.

PLACE: Department of Environmental Protection, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Chris McGuire, (850)245-2291, email chris.mcguire@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Chris McGuire, Department of Environmental Protection, MS 35, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000, telephone (850)245-2291, email chris.mcguire@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-4.060 Consultation.

Rulemaking Specific Authority 403.021, 403.031, 403.061, 403.088 FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.088 FS. History–New 5-17-72, Amended 8-31-88, Formerly 17-4.060, Repealed.

62-4.110 Financial Responsibility.

Rulemaking Specific Authority 403.061(7) FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.088 FS. History–New 5-17-72, Amended 8-7-73, Formerly 17-4.11, Amended 8-31-88, Formerly 17-4.110, Repealed.

62-4.150 Review.

Rulemaking Specific Authority 403.021, 403.031, 403.061, 403.088 FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.088 FS. History–New 5-17-72, Formerly 17-4.15, Amended 8-31-88, Formerly 17-4.150, Repealed.

62-4.210 Construction Permits.

Rulemaking Specific Authority 403.021, 403.031, 403.061, 403.088 FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.088 FS. History–New 5-17-72, Formerly 17-4.21, Amended 8-31-88, Formerly 17-4.210, Repealed.

62-4.220 Operation Permit for New Sources.

Rulemaking Specific Authority 403.021, 403.031, 403.061, 403.088 FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.088 FS. History–Formerly 17-4.05, New 3-4-70, Revised 5-17-72, Formerly 17-4.22, Amended 8-31-88, Formerly 17-4.220, Repealed.

62-4.240 Permits for Water Pollution Sources.

Rulemaking Specific Authority 403.061, 403.088 FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.088, 403.101 FS. History–New 5-17-72, Formerly 17-4.23, Amended 8-31-88, 10-4-89, Formerly 17-4.240, Repealed.

62-4.249 Preservation of Rights.

Rulemaking Specific Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS. Law Implemented 403.021, 403.061, 403.087, 403.088, 403.091, 403.101, 403.121, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS. History–New 3-1-79; Amended 8-31-88, Formerly 17-4.249, Repealed.

62-4.250 Water Pollution Temporary Operation Permits; Conditions.

Rulemaking Specific Authority 403.021, 403.031, 403.061, 403.088 FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.088(5)(c) FS. History–New 5-17-72, Amended 3-26-74, Formerly 17-4.25, Amended 8-31-88, 10-4-89, Formerly 17-4.250, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Chris McGuire

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-11.003	Damages to Other Resources, Flora or Fauna

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule explains that the Department is not prevented from assessing and recovering damages to air, water or property, including animal, plant or aquatic not specifically listed in Chapter 62-11. This rule is unnecessary and merely

attempts to ensure no argument is made that Rules 62-11.001 and 62-11.002 will be construed to limit the Department's ability to recover environmental damages in other liability provisions in Chapter 403.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing this unnecessary rule will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.141 FS.

LAW IMPLEMENTED: 403.061, 403.141, 403.161 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 20, 2011, 10:00 a.m.

PLACE: 3900 Commonwealth Blvd., First Floor Conference Room A, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Justin Wolfe, 3900 Commonwealth Blvd., MS #35, Tallahassee, FL 32399, justin.g.wolfe@dep.state.fl.us; (850)245-2214. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Justin Wolfe, 3900 Commonwealth Blvd. MS #35, Tallahassee, FL 32399; justin.g.wolfe@dep.state.fl.us, (850)245-2214

THE FULL TEXT OF THE PROPOSED RULE IS:

62-11.003 Damages to Other Resources, Flora or Fauna.

Rulemaking Specific Authority 403.061, 403.141 FS. Law Implemented 403.061, 403.141, 403.161, ~~403.747~~ FS. History—New 2-16-93, Formerly 17-11.003, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Justin Wolfe

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-17.011	General
62-17.031	Prohibitions, Exceptions, and Applicability
62-17.081	Supplementary Information – Cost Responsibility, Determination of Completeness of Application
62-17.093	Preliminary Statements of Issues
62-17.137	Proprietary Interest in State-Owned Lands
62-17.143	Recommended Orders, Exceptions
62-17.221	Revocation or Suspension of Certification
62-17.231	Supplemental Applications
62-17.510	General
62-17.610	Proprietary Interest in State-owned Lands

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: These rules are being repealed because they are unnecessary to the program or because they substantially restate the statute.

OTHER RULES INCORPORATING THIS RULE: No other rules are known to incorporate these rules.

EFFECT ON THOSE OTHER RULES: NA

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.504(1), (2), (6), (9), 403.517(1)(a), 403.5063(2), 403.523(1) FS.

LAW IMPLEMENTED: 403.504, 403.506, 403.5063(2), 403.507(1)-(4), 403.5055, 403.508(3), (7)(d), (8), 403.509, 403.0872, 403.0885, 403.511(7), 403.512, 403.517, 403.5175, 403.521, 403.531(3)(b), 403.523(10) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 11, 2012, 9:00 a.m.

PLACE: Marjory Stoneman Douglas Building, Conference Room A, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cindy Mulkey, 3900 Commonwealth Blvd., MS 48, Tallahassee, FL 32399-3000, (850)245-2002, Cindy.Mulkey@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cindy Mulkey, 3900 Commonwealth Blvd., MS 48, Tallahassee, FL 32399-3000, (850)245-2002

Cindy.Mulkey@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-17.011 General.

Rulemaking Specific Authority 403.504(1), 403.517(1)(a) FS. Law Implemented 403.504(2), (3), (5), 403.517, 403.5175 FS. History–New 5-7-74, Amended 12-27-77, Formerly 17-17.01, Amended 5-9-83, Formerly 17-17.011, Amended 2-1-99, Repealed.

62-17.031 Prohibitions, Exceptions, and Applicability.

Rulemaking Specific Authority 403.504(1) FS. Law Implemented 403.504, 403.506 FS. History–New 5-7-74, Amended 12-27-77, Formerly 17-17.03, Amended 5-9-83, Formerly 17-17.031, Amended 2-1-99, 2-13-08, Repealed.

62-17.081 Supplementary Information – Cost Responsibility, Determination of Completeness of Application

Rulemaking Specific Authority 403.504(1), (2), 403.5063(2) FS. Law Implemented 403.504(2), (3), 403.5063(2) FS. History–New 5-7-74, Amended 12-27-77, Formerly 17-17.04(2), 17-17.20, Amended 5-9-83, Formerly 17-17.081, Amended 2-1-99, 2-13-08, Repealed.

62-17.093 Preliminary Statement of Issues.

Rulemaking Specific Authority 403.504(1) FS. Law Implemented 403.507(1), (2)(d) FS. History–New 2-1-99, Amended 2-13-08, Repealed.

62-17.137 Proprietary Interest in State Lands.

Rulemaking Specific Authority 403.504(1) FS. Law Implemented 403.509(5) FS. History–New 2-13-08, Repealed.

62-17.143 Recommended Orders, Exceptions.

Rulemaking Specific Authority 403.504(1) FS. Law Implemented 403.508(3), 403.508(7)(d), 403.509 FS. History–New 2-1-99, Amended 2-13-08, Repealed.

62-17.221 Revocation or Suspension of Certification.

Rulemaking Specific Authority 403.504(1) FS. Law Implemented 120, 403.512 FS. History–New 5-7-74, Amended 12-27-77, Formerly 17-17.18, Amended 5-9-83, Formerly 17-17.221, Amended 2-1-99, Repealed.

62-17.231 Supplemental Applications.

Rulemaking Specific Authority 403.504(1), (6), (9) FS. Law Implemented 403.517 FS. History–New 5-7-74, Amended 12-27-77, Formerly 17-17.21, Amended 5-9-83, Formerly 17-17.231, Amended 2-1-99, 2-13-08, Repealed.

62-17.510 General.

Rulemaking Authority 403.523(1) FS. Law Implemented 403.521 FS. History–New 11-20-80, Amended 6-26-84, Formerly 17-17.51, 17-17.510, Amended 5-24-10, Repealed.

62-17.610 Proprietary Interest in State-Owned Lands.

Rulemaking Authority 403.523(1) FS. Law Implemented 403.531(3)(b) FS. History–New 5-24-10, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cindy Mulkey

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-18.001	General
62-18.020	Definitions
62-18.030	Instrumentation
62-18.040	Equipment Operators
62-18.050	Location of Microphone
62-18.080	Procedure for Reporting
62-18.090	Reference
62-18.500	General
62-18.510	Definitions
62-18.530	Personnel
62-18.580	Reference
62-18.700	General
62-18.710	Definitions
62-18.720	Instrumentation
62-18.730	Instrument Calibration

62-18.740	Personnel
62-18.750	Meter Operation
62-18.760	Light Trucks, Buses and Passenger Cars
62-18.770	Heavy Trucks, Truck Tractors, and Buses
62-18.780	Motorcycles and Motor-Driven Cycles
62-18.790	Exception
62-18.800	Certification
62-18.810	Data
62-18.820	Effective Date

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1083) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Federal standards requiring vehicles be manufactured to comply with exhaust noise standards supersede these rules.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 316.293(3), 403.061(7), (11), (13), 403.415(5) FS.

LAW IMPLEMENTED: 316.293(3), 403.021, 403.061, 403.415(5), (7), (8), (9) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair

Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9023. E-mail terri.long@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9023, E-mail terri.long@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-18.001 General.

Rulemaking Specific Authority 403.061 FS. Law Implemented 316.293(3), 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History—New 11-27-74, Formerly 17-18.01, 17-18.001, Repealed.

62-18.020 Definitions.

Rulemaking Specific Authority 403.061 FS. Law Implemented 316.293(3), 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History—New 11-27-74, Formerly 17-18.02, 17-18.020, Repealed.

62-18.030 Instrumentation.

Rulemaking Specific Authority 316.293(3), 403.061(7) FS. Law Implemented 316.293, 403.061, 403.415(5), (9) FS., Chapter 74-110, Laws of Florida. History—New 1-27-74, Amended 7-19-77, Formerly 17-18.03, 17-18.030, Repealed.

62-18.040 Equipment Operators.

Rulemaking Specific Authority 403.061 FS. Law Implemented 316.293(3), 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History—New 11-27-74, Formerly 17-18.04, 17-18.040, Repealed.

62-18.050 Location of Microphone.

Rulemaking Specific Authority 403.061 FS. Law Implemented 316.293(3), 403.061, 403.415(5), (7) FS., Chapter 74-110, Laws of Florida. History—New 11-27-74, Formerly 17-18.05, 17-18.050, Repealed.

62-18.080 Procedure for Reporting.

Rulemaking Specific Authority 403.061 FS. Law Implemented 316.293(3), 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History–New 11-27-74, Formerly 17-18.08, 17-18.080, Repealed.

62-18.090 Reference.

Rulemaking Specific Authority 403.061 FS. Law Implemented 316.293(3), 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History–New 11-27-74, Formerly 17-18.09, 17-18.090, Repealed.

62-18.500 General.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History–New 11-27-74, Formerly 17-18.50, 17-18.500, Repealed.

62-18.510 Definitions.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History–New 11-27-74, Formerly 17-18.51, 17-18.510, Repealed.

62-18.530 Personnel.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History–New 11-27-74, Formerly 17-18.53, 17-18.530, Repealed.

62-18.580 Reference.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.061, 403.415(5) FS., Chapter 74-110, Laws of Florida. History–New 11-27-74, Formerly 17-18.58, 17-18.580, Repealed.

62-18.700 General.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.70, 17-18.700, Repealed.

62-18.710 Definitions.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.71, 17-18.710, Repealed.

62-18.720 Instrumentation.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.72, 17-18.720, Repealed.

62-18.730 Instrument Calibration.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.73, 17-18.730, Repealed.

62-18.740 Personnel.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.74, 17-18.740, Repealed.

62-18.750 Meter Operation.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.75, 17-18.750, Repealed.

62-18.760 Light Trucks, Buses and Passenger Cars.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.76, 17-18.760, Repealed.

62-18.770 Heavy Trucks, Truck Tractors, and Buses.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.77, 17-18.770, Repealed.

62-18.780 Motorcycles and Motor-Driven Cycles.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.78, 17-18.780, Repealed.

62-18.790 Exception.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.79, 17-18.790, Repealed.

62-18.800 Certification.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.80, 17-18.800, Repealed.

62-18.810 Data.

Rulemaking Specific Authority 403.061(7),(11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.81, 17-18.810, Repealed.

62-18.820 Effective Date.

Rulemaking Specific Authority 403.061(7), (11), 403.415 FS. Law Implemented 403.415, 403.415(8) FS. History–New 7-19-77, Formerly 17-18.82, 17-18.820, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mike Halpin, Director, Division of Air Resource Management
NAME OF PERSON WHO APPROVED THE PROPOSED
RULE: Herschel T. Vinyard, Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-25.042	Permit Requirements for Wetland Stormwater Discharge Facilities
62-25.050	Delegation
62-25.080	General Provisions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal of the following rules in Chapter 62-25, F.A.C., Regulation of Stormwater Discharge, that the Department has determined are obsolete or otherwise no longer necessary in accordance with Executive Order 11-01:

Rule 62-25.042, F.A.C., has not been used in over 20 years. The performance standards in subsection (6) of this rule have not been affirmatively approved by the Environmental Regulation Commission in accordance with subsection (1) of this rule, and should have been repealed as of April 1, 1989. Wetlands stormwater discharge facilities can still be proposed and would be regulated under the rules adopted under Part IV of Chapter 373, F.S.

The provisions for delegating the regulation of stormwater management and discharge systems to local governments under Rule 62-25.050, F.A.C., have been superseded by Section 373.441, F.S., and Chapter 62-344, F.A.C., which now govern all delegations under Part IV of Chapter 373, F.S. Only one local government, the City of Tallahassee, ever received a partial delegation of authority to regulate certain stormwater management and discharge systems under Chapter 62-25, F.A.C., and that delegation was rescinded in 2007, at the City's request.

Rule 62-25.080, F.A.C., restates legal provisions that already exist, and will continue to exist, if this rule is repealed. This rule does not add any useful information for staff or the public, and therefore is unnecessary.

OTHER RULES INCORPORATING THIS RULE: Rule 62-25.042, F.A.C., is referenced in subsections 62-25.020(19), 62-25.020(20), and 62-25.040(1), F.A.C., and paragraph 62-25.040(7)(a), F.A.C. Those references will need to be replaced with "wetlands permitted for stormwater treatment under Rule 62-25.042, F.A.C. (May 5, 1985) or Part IV of Chapter 373, F.S." As part of the revisions to subsection 62-25.020(19), F.A.C., the reference to "Rule 62-301.400, F.A.C.," also will need to be revised to "Chapter 62-340, F.A.C.," because Chapter 62-301, F.A.C., is proposed for repeal through separate rulemaking.

Rule 62-25.042, F.A.C., also is referenced in paragraphs 62-340.700(1)(c) and (2)(a), F.A.C. Those references will need to be corrected to "excluding wetlands permitted for stormwater treatment under Rule 62-25.042, F.A.C. (May 5, 1985) or Part IV of Chapter 373, F.S." In addition, references to this rule contained in subparagraphs 40B-400.051(3)(a)3. and (3)(b)1., 40C-4.051(13)(a)3. and (b)1., 40D-4-051(12)(a)3. and (b)1., and 40E-4.0515(1)(a)3. and (b)(1), F.A.C., which are incorporated by reference in Rule 62-330.200, F.A.C., will be similarly corrected by amending Rule 62-330.200, F.A.C.

Rule 62-25.050, F.A.C., is referenced in subsection 62-25.040(1), F.A.C., and paragraph 62-25.040(7)(a), F.A.C. Those references will need to be corrected to cite to Chapter 62-344, F.A.C.

EFFECT ON THOSE OTHER RULES: With the changes proposed above, there will be no substantive affect on the other rules that cross reference the rules proposed for repeal.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rules are not required by statute and are being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.026(7), 373.043, 373.4145, 403.805(1) FS.

LAW IMPLEMENTED: 373.4145 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 13, 2012, 8:00 a.m., ET

PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-0871)

THE FULL TEXT OF THE PROPOSED RULES IS:

62-25.042 Permit Requirements for Wetland Stormwater Discharge Facilities.

Rulemaking Specific Authority 373.026(7), 373.043, 373.4145, 403.805(1) FS. Law Implemented 373.4145 FS. History—New 5-8-85, Formerly 17-25.042, Repealed.

62-25.050 Delegation.

Rulemaking Specific Authority 373.026(7), 373.043, 373.4145, 403.805(1) FS. Law Implemented 373.4145 FS. History—Formerly 17-4.248, Amended and Renumbered 2-1-82, Amended 1-26-84, 5-8-85, Formerly 17-25.05, 17-25.050, Repealed.

62-25.080 General Provisions.

Rulemaking Specific Authority 373.026(7), 373.043, 373.4145, 403.805(1) FS. Law Implemented 373.4145 FS. History—Formerly 17-4.248, Amended and Renumbered 1-20-82, Formerly 17-25.08, 17-25.080, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-29.001	Intent
62-29.020	Definitions
62-29.030	Application for Conceptual Agency Review
62-29.040	Permit Processing
62-29.050	Standards for Issuance or Denial of Conceptual Agency Review
62-29.060	Effect of Approval or Denial
62-29.070	Duration of Permits; Renewal
62-29.080	Modification or Revocation

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Chapter 62-29, F.A.C., “Conceptual Agency Review,” was amended effective October 3, 1995, to apply only within the geographic territory of the Northwest Florida Water Management District (NFWFMD), where Chapters 62-25 and 62-312, F.A.C., remained in effect under Section 373.4145, F.S. The conceptual agency review provisions of Chapter 62-29, F.A.C., had applicability there because neither Chapter 62-25 nor 62-312, F.A.C., had a conceptual approval process. However, the Environmental Resource Permit (ERP) rule Chapter 62-346, F.A.C., adopted under Section 373.4145(1)(b), F.S., within the NFWFMD effective

November 1, 2010, now regulates activities formerly regulated under Chapters 62-25 and 62-312, F.A.C., and contains provisions for an applicant to obtain a conceptual approval permit. As such, the mandate in Section 380.06(9)(b), F.S., for a conceptual approval process is now satisfied by the ERP permit program rules, and the need for Chapter 62-29, F.A.C., no longer exists. In addition, it does not appear any applicant has ever used Chapter 62-29, F.A.C., since it was originally adopted in 1986. Therefore this chapter is no longer necessary and is proposed for repeal to comply with Executive Orders 11-01 and 11-72.

OTHER RULES INCORPORATING THIS RULE: There are no other rules or chapters that incorporate any of the rules in Chapter 62-29, F.A.C.

EFFECT ON THOSE OTHER RULES: None of these rules are incorporated by other rules or chapters; therefore, there is no effect.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rules are not required by statute and are being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.026, 373.043, 373.044, 380.06(9) FS.

LAW IMPLEMENTED: 373.109, 373.413(4), 373.4145, 380.06(9), 403.0877 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 13, 2012, 9:15 a.m., ET
PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-0872)

THE FULL TEXT OF THE PROPOSED RULES IS:

62-29.001 Intent.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 380.06(9) FS. Law Implemented 373.4145, 380.06(9) FS. History–New 8-13-86, Formerly 17-29.001, Amended 7-4-95, Repealed.

62-29.020 Definitions.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 380.06(9) FS. Law Implemented 373.4145, 380.06(9) FS. History–New 8-13-86, Formerly 17-29.020, Amended 7-4-95, Repealed.

62-29.030 Application for Conceptual Agency Review.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 380.06(9) FS. Law Implemented 373.109, 373.4145, 380.06(9), 403.0877 FS. History–New 8-13-86, Formerly 17-29.030, Amended 7-4-95, Repealed.

62-29.040 Permit Processing.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 380.06(9) FS. Law Implemented 373.413(4), 373.4145, 380.06(9) FS. History–New 8-13-86, Formerly 17-29.040, Amended 7-4-95, Repealed.

62-29.050 Standards for Issuance or Denial of Conceptual Agency Review.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 380.06(9) FS. Law Implemented 373.4145, 380.06(9) FS. History–New 8-13-86, Formerly 17-29.050, Amended 7-4-95, Repealed.

62-29.060 Effect of Approval or Denial.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 380.06(9) FS. Law Implemented 373.4145, 380.06(9) FS. History–New 8-13-86, Formerly 17-29.060, Repealed.

62-29.070 Duration of Permits; Renewal.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 380.06(9) FS. Law Implemented 373.4145, 380.06(9) FS. History–New 8-13-86, Formerly 17-29.070, Repealed.

62-29.080 Modification or Revocation.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 380.06(9) FS. Law Implemented 373.4145, 380.06(9) FS. History–New 8-13-86, Formerly 17-29.080, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-43.010
RULE TITLE: Intent

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Including intent via rule is unnecessary and duplicates statutory language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There is no need to include the list. Consequently, there are no costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.043 FS.

LAW IMPLEMENTED: 373.026, 373.453, 373.455, 373.456 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, January 4, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kristine Jones at (850)245-8682 or the below information. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kristine Jones, Department of Environmental Protection, Bureau of Watershed Restoration, MS 3570, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8682 or e-mail: kristine.p.jones@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-43.010 Intent.

Rulemaking Specific Authority 373.043 FS. Law Implemented 373.026, 373.453, 373.455, 373.456 FS. History--New 12-7-87, Amended 2-21-90, Formerly 17-43.010, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-43.100
 RULE TITLE: Advisory Table of Approval Surface Water Priority Lists

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Including the list via rule is unnecessary.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The list is not necessary for inclusion in Chapter 62-43, F.A.C.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.043, 373.453 FS.
 LAW IMPLEMENTED: 373.026, 373.451, 373.453 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, January 4, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kristine Jones at (850)245-8682 or the below information. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kristine Jones, Department of Environmental Protection, Bureau of Watershed Restoration, MS 3570, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8682 or e-mail: kristine.p.jones@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-43.100 Advisory Table of Approval Surface Water Priority Lists.

Rulemaking Specific Authority 373.043, 373.453 FS. Law Implemented 373.026, 373.451, 373.453 FS. History--New 2-21-90, Formerly 17-43.100, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-104.040
 RULE TITLE: General; Application of Funds and Criteria for Selection of Proposals and Allocation of Funds

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is unnecessary as funding for the program is no longer available.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: since funding for the program is no longer available, rule repeal will have no costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061(28) FS.

LAW IMPLEMENTED: 403.0615 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, January 4, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tom Frick at (850)245-7518 or the below information. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tom Frick, Department of Environmental Protection, Bureau of Watershed Restoration, MS 3510, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-7518 or e-mail: thomas.frick@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-104.040 General; Application of Funds and Criteria for Selection of Proposals and Allocation of Funds.

Rulemaking Specific Authority 403.061(28) FS. Law Implemented 403.0615 FS. History—New 5-29-78, Formerly 17-1.126, Amended 6-1-84, Formerly 17-1.104, Amended 11-28-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-112.030
 RULE TITLE: Procedures for Certification and Agency Review

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal Rule 62-112.030, F.A.C., which established procedures for certification and coordinated agency review of development projects in the Florida Keys Area of Critical State Concern, because it is unnecessary given other statutorily authorized procedures for expedited review.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 380.051 FS.

LAW IMPLEMENTED: 380.051 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: TBA

PLACE: TBA

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sandra Stockwell, Florida Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., M.S. 35, Tallahassee, FL 32399-3000, telephone (850)245-2199 or email Sandra.Stockwell@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-112.030 Procedures for Certification and Agency Review.

Rulemaking Specific Authority 380.051 FS. Law Implemented 380.051 FS. History—New 9-21-87, Formerly 17-112.030, Amended 11-13-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Sally Mann, Director, Office of Intergovernmental Programs
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Hershel T. Vinyard Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-133.100	Policy and Purpose
62-133.200	Definitions
62-133.300	Recruitment, Screening, Training, Supervision, and Responsibility of Volunteers
62-133.400	Volunteer Services Agreements
62-133.500	Administrative Requirements
62-133.600	Standards of Conduct for Volunteers
62-133.700	Termination of Volunteer Service
62-133.800	Volunteer Benefits

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is no longer needed. Section 110.503(2), Florida Statutes, requires agencies that use volunteers to comply with the Department of Management Services' uniform rule on volunteers (60L-33.006, F.A.C.).

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Repealing this unnecessary rule will not have an adverse impact or impose a regulatory burden.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 110.503(2) FS.

LAW IMPLEMENTED: 110.501, 110.502, 110.503, 110.504, 110.505 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 15, 2011, 2:00 p.m.

PLACE: Conference Room 628B, Douglas Building, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Heather Chapman, Office Manager, Office of General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399. Ms. Chapman may also be reached by email to Heather.Chapman@dep.state.fl.us or by telephone at (850)245-2242. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ginger Daniels, Bureau of Personnel Services, 3900 Commonwealth Boulevard, MS 75, Tallahassee, Florida 32399-3000. Phone number (850)245-2431 or by e-mail to Ginger.Daniels@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-133.100 Policy and Purpose.

Rulemaking Specific Authority 110.503(2) FS. Law Implemented 110.503 FS. History--New 8-28-95, Repealed.

62-133.200 Definitions.

Rulemaking Specific Authority 110.503(2) FS. Law Implemented 110.501, 110.503 FS. History--New 8-28-95, Repealed.

62-133.300 Recruitment, Screening, Training, Supervision, and Responsibility of Volunteers.

Rulemaking Specific Authority 110.503(2) FS. Law Implemented 110.502, 110.503 FS. History--New 8-28-95, Repealed.

62-133.400 Volunteer Services Agreements.

Rulemaking Specific Authority 110.503(2) FS. Law Implemented 110.502, 110.503 FS. History--New 8-28-95, Repealed.

62-133.500 Administrative Requirements.

Rulemaking Specific Authority 110.503(2) FS. Law Implemented 110.503, 110.505 FS. History--New 8-28-95, Repealed.

62-133.600 Standards of Conduct for Volunteers.

Rulemaking Specific Authority 110.503(2) FS. Law Implemented 110.502, 110.503 FS. History--New 8-28-95, Repealed.

62-133.700 Termination of Volunteer Service.

Rulemaking Specific Authority 110.503(2) FS. Law Implemented 110.503 FS. History–New 8-28-95, Repealed.

62-133.800 Volunteer Benefits.

Rulemaking Specific Authority 110.503(2) FS. Law Implemented 110.503, 110.504 FS. History–New 8-28-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cynthia Kelly, Director, Division of Administrative Services
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-160.900
 RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The rule is a placeholder for forms that do not exist. There are no plans to include forms in this rule in the future.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: there are no forms that exist and no plans for future forms.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.0623 FS.

LAW IMPLEMENTED: 373.026, 373.309, 373.409, 373.413, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, January 4, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429 or the below information. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-160.900 Forms.

Rulemaking Specific Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History–New 1-1-91, Amended 2-4-93, Formerly 17-160.900, Amended 3-24-96, 10-15-96, 4-9-02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-204.100	Purpose and Scope
62-204.200	Definitions
62-204.220	Ambient Air Quality Protection
62-204.320	Procedures for Designation and Redesignation of Areas
62-204.360	Designation of Prevention of Significant Deterioration Areas
62-204.400	Public Notice and Hearing Requirements for State Implementation Plan Revisions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1084) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The purpose of the proposed rulemaking is to update Chapter 62-204, F.A.C., to remove obsolete provisions related to ambient air quality protection and area designations. Additionally, all definitions in Rule 62-204.200, F.A.C., are currently found in Chapter 62-210.200, or are being added or revised at 62-210.200 in the pending PM2.5 rulemaking, thereby rendering this rule unnecessary.

OTHER RULES INCORPORATING THIS RULE: Rule 62-296.602, F.A.C., incorrectly references subsection 62-204.220(2), F.A.C.

EFFECT ON THOSE OTHER RULES: The effect of the repeal will be as intended.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 403.061, 403.8055 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, 403.8055 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kelly Stevens, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9017, E-mail kelly.stevens@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900

Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Kelly Stevens, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida, 32399-2400, Telephone (850)717-9017, E-mail kelly.stevens@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-204.100 Purpose and Scope.

Rulemaking Specific Authority 403.061, 403.8055 FS. Law Implemented 403.021, 403.031, 403.061, 403.8055 FS. History—New 11-30-94, Amended 3-13-96, Repealed.

62-204.200 Definitions.

Rulemaking Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.8055 FS. History—New 11-30-94, Amended 3-13-96, 2-12-06, 10-6-08, Repealed.

62-204.220 Ambient Air Quality Protection.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—New 3-13-96, Repealed.

62-204.320 Procedures for Designation and Redesignation of Areas.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—New 3-13-96, Repealed.

62-204.360 Designation of Prevention of Significant Deterioration Areas.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—New 3-13-96, Repealed.

62-204.400 Public Notice and Hearing Requirements for State Implementation Plan Revisions.

Rulemaking Specific Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.8055 FS. History—New 11-30-94, Amended 10-6-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management

NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:
 62-210.100 Purpose and Scope
 62-210.340 Citrus Juice Processing Facilities

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1086) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The proposed rules to be repealed involve requirements for citrus juice processing facilities. There are also Federal standards for citrus juice processing facilities which supersede these rules and Section 403.08725, F.S., was repealed making these rules obsolete.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 403.061, 403.08725 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.08725 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jim Pennington, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida, 32399-2400, Telephone (850)717-9102, E-mail jim.pennington@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Jim Pennington, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9102, E-mail jim.pennington@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-210.100 Purpose and Scope.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History–New 2-9-93, Formerly 17-210.100, Amended 11-23-94, 1-10-07, Repealed_____.

62-210.340 Citrus Juice Processing Facilities.

Rulemaking Specific Authority 403.08725 FS. Law Implemented 403.08725 FS. History–New 12-17-02, Amended 11-1-04, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
 62-212.100 Purpose and Scope

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1087) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is unnecessary introductory language.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of

\$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, 403.0875 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tiffany Lanh, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9015, E-mail tiffany.lanh@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Tiffany Lanh, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9015, E-mail tiffany.lanh@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-212.100 Purpose and Scope.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.0875 FS. History—New 2-2-93, Formerly 17-212.100, Amended 11-23-94, 3-13-96, 5-20-97, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-213.100
 RULE TITLE: Purpose and Scope

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1089) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is unnecessary introductory language.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 403.061, 403.0872 FS.

LAW IMPLEMENTED: 403.061, 403.0872 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tiffany Lanh, Florida Department of Environmental Protection, Division of Air Resource

Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9015, E-mail tiffany.lanh@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Tiffany Lanh, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9015. E-mail tiffany.lanh@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-213.100 Purpose and Scope.

Rulemaking Specific Authority 403.061, 403.0872 FS. Law Implemented 403.061, 403.0872 FS. History--New 11-28-93, Formerly 17-213.010, Amended 3-13-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-242.100	Purpose and Scope
62-242.200	Definitions
62-242.400	Standards and Procedures for Inspection of Gasoline-Fueled Vehicles; Pass/Fail Criteria
62-242.500	Standards and Procedures for Inspection of Diesel Fueled Vehicles; Pass/Fail Criteria
62-242.600	Equipment Performance Specifications
62-242.700	Tampering Inspection
62-242.800	Low Emissions Adjustment
62-242.900	Training Criteria for Motor Vehicle Emissions Inspection Personnel

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1090) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The Department of Environmental Protection adopted this rule pursuant to the Florida Clean Outdoor Air Law, Section 325.201, F.S., as an integral part of the Department's program to achieve and maintain the National Ambient Air Quality Standards for ozone, carbon monoxide, and particulate matter; and to control nuisance exhaust. This rule is obsolete as Chapter 325, F.S., was repealed and other rules have addressed the pollutants.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 325.206, 325.209, 325.212, 352.213, 403.061 FS.

LAW IMPLEMENTED: 325.202, 325.203, 325.206, 325.209, 325.212, 325.213, 403.021, 403.031, 403.061 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jim Pennington, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400 Telephone (850)717-9102. E-mail jim.pennington@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may

be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399. Telephone (850)245-2288. E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Jim Pennington, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9102, E-mail jim.pennington@dep.state.fl.us .

THE FULL TEXT OF THE PROPOSED RULES IS:

62-242.100 Purpose and Scope.

Rulemaking Specific Authority 325.206, 325.209, 325.212, 325.213, 403.061 FS. Law Implemented 325.206, 325.209, 325.212, 325.213, 403.021, 403.031, 403.061 FS. History–New 2-20-89, Amended 3-21-91, Formerly 17-242.100, Repealed_____.

62-242.200 Definitions.

Rulemaking Specific Authority 325.206, 325.209, 325.212, 325.213, 403.061 FS. Law Implemented 325.202, 325.206, 325.209, 325.212, 325.213, 403.021, 403.031, 403.061 FS. History–New 2-20-89, Amended 3-21-91, 2-2-93, Formerly 17-242.200, Amended 3-13-96, Repealed_____.

62-242.400 Standards and Procedures for Inspection of Gasoline-Fueled Vehicles; Pass/Fail Criteria.

Rulemaking Specific Authority 325.206, 403.061 FS. Law Implemented 325.203, 325.206, 403.021, 403.061 FS. History–New 2-20-89, Amended 3-21-91, 2-2-93, Formerly 17-242.400, Repealed_____.

62-242.500 Standards and Procedures for Inspection of Diesel Fueled Vehicles; Pass/Fail Criteria.

Rulemaking Specific Authority 325.206, 325.212, 403.061 FS. Law Implemented 325.203, 325.206, 325.212, 403.021, 403.031, 403.061 FS. History–New 2-20-89, Amended 3-21-91, 2-2-93, Formerly 17-242.500, Repealed_____.

62-242.600 Equipment Performance Specifications.

Rulemaking Specific Authority 325.206, 325.212, 403.061 FS. Law Implemented 325.206, 325.212, 325.213, 403.031, 403.061 FS. History–New 2-20-89, Amended 2-14-91, 2-2-93, Formerly 17-242.600, Repealed_____.

62-242.700 Tampering Inspection.

Rulemaking Specific Authority 325.206, 325.209, 403.061 FS. Law Implemented 325.206, 325.209, 403.021, 403.061 FS. History–New 2-20-89, Amended 3-21-91, 2-2-93, Formerly 17-242.700, Repealed_____.

62-242.800 Low Emissions Adjustment.

Rulemaking Specific Authority 325.206, 325.209, 403.061 FS. Law Implemented 325.206, 325.209, 403.021, 403.061 FS. History–New 2-20-89, Amended 3-21-91, 2-2-93, Formerly 17-242.800, Repealed_____.

62-242.900 Training Criteria for Motor Vehicle Emissions Inspection Personnel.

Rulemaking Specific Authority 325.212, 325.213, 403.061 FS. Law Implemented 325.202, 325.212, 325.213, 403.021, 403.031, 403.061 FS. History–New 2-20-89, Amended 3-21-91, 2-2-93, Formerly 17-242.900, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-243.100	Purpose and Scope
62-243.200	Definitions
62-243.400	Prohibitions
62-243.600	Enforcement

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1091) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rules are technology-obsolete vehicle anti-tampering requirements.

OTHER RULES INCORPORATING THIS RULE: Rule 62-243.400, F.A.C., is referenced in Rule 62-243.300, F.A.C.

EFFECT ON THOSE OTHER RULES: The rule repeals would have no impact on the referencing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 316.2935 FS.

LAW IMPLEMENTED: 316.2935, 316.6105, 318.18, 325.209 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9023, E-mail terri.long@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9023, E-mail terri.long@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-243.100 Purpose and Scope.

Rulemaking Specific Authority 316.2935 FS. Law Implemented 316.2935, 316.6105, 318.18, 325.209 FS. History—New 2-21-90, Amended 5-29-90, Formerly 17-243.100, Repealed.

62-243.200 Definitions.

Rulemaking Specific Authority 316.2935 FS. Law Implemented 316.2935 FS. History—New 2-21-90, Amended 5-29-90, 1-2-91, Formerly 17-243.200, Repealed.

62-243.400 Prohibitions.

Rulemaking Specific Authority 316.2935 FS. Law Implemented 316.2935 FS. History—New 2-21-90, Amended 5-29-90, 1-2-91, Formerly 17-243.400, Repealed.

62-243.600 Enforcement.

Rulemaking Specific Authority 316.2935 FS. Law Implemented 316.2935 FS. History—New 2-21-90, Amended 5-29-90, 1-2-91, Formerly 17-243.600, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-252.100	Purpose and Scope
62-252.200	Definitions
62-252.400	Gasoline Dispensing Facilities – Stage II Vapor Recovery

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1092) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The proposed rules to be repealed involve requirements for gasoline vapor control requirements for gasoline dispensing facilities. There are now Federal standards for gasoline dispensing facilities which supersede these rules, making them obsolete.

OTHER RULES INCORPORATING THIS RULE: Chapter 62-252, F.A.C. is referenced in Rule 62-210.200, F.A.C. Rule 62-252.400, F.A.C., is referenced in Rule 62-252.300, F.A.C.

EFFECT ON THOSE OTHER RULES: The rule repeals would have no impact on the referencing rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD): DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9023, E-mail terri.long@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9023, E-mail terri.long@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-252.100 Purpose and Scope.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History--New 2-2-93, Formerly 17-252.100, Repealed.

62-252.200 Definitions.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History--Formerly 17-2.100, Amended 2-2-93, Formerly 17-252.200, Amended 5-9-07, Repealed.

62-252.400 Gasoline Dispensing Facilities – Stage II Vapor Recovery.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History--Formerly 17-2.100, Amended 2-2-93, Formerly 17-252.400, Amended 11-23-94, 5-9-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-257.100
 RULE TITLE: Purpose and Scope
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1094) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.
 SUMMARY: This rule is unnecessary introductory language.
 OTHER RULES INCORPORATING THIS RULE: None
 EFFECT ON THOSE OTHER RULES: None
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 376.60, 403.061 FS.

LAW IMPLEMENTED: 376.60, 403.061 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD): DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tiffany Lanh, Florida Department of

Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9015, E-mail tiffany.lanh@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Tiffany Lanh, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9015, E-mail tiffany.lanh@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-257.100 Purpose and Scope.

Rulemaking Specific Authority 376.60, 403.061 FS. Law Implemented 376.60, 403.061 FS. History--New 3-31-94, Formerly 17-257.100, Amended 11-23-94, 3-24-96, 2-9-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-281.100
 RULE TITLE: Purpose, Scope, and Compliance Requirements for Affected Establishments

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1095) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule is duplicative of federal standards for recycling of ozone-depleting refrigerants.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 325.223, 403.061 FS.

LAW IMPLEMENTED: 325.223 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tiffany Lanh, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9015, E-mail tiffany.lanh@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Tiffany Lanh, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9015, E-mail tiffany.lanh@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-281.100 Purpose, Scope, and Compliance Requirements for Affected Establishments.

Rulemaking Specific Authority 325.223, 403.061 FS. Law Implemented 325.223 FS. History--New 5-1-91, Amended 4-16-92, Formerly 17-281.100, Amended 12-26-95, 9-10-96, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-285.400
 RULE TITLE: Adoption of California Motor Vehicle Emission Standards

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1096) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Federal emission standards in 40 CFR 86 for light-duty vehicles are now more stringent.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting: Jim Pennington, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400. Telephone (850)717-9102. E-mail jim.pennington@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Jim Pennington, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9102, E-mail jim.pennington@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-285.400 Adoption of California Motor Vehicle Emission Standards.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061 FS. History--New 2-15-09, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: 62-297.100, 62-297.520
 RULE TITLES: Purpose and Scope, EPA Continuous Monitor Performance Specifications

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1099) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-297.100, F.A.C., is unnecessary introductory language, and Rule 62-297.520, F.A.C., is unnecessary because monitor performance specifications are elsewhere adopted.

OTHER RULES INCORPORATING THIS RULE: Rule 62-297.520, F.A.C., is referenced in Rules 62-296.701 and 62-296.702, F.A.C.

EFFECT ON THOSE OTHER RULES: The rules would reference a rule that no longer exists and would have to be amended in future rulemaking.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice. This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 5, 2012, 9:00 a.m.

PLACE: Department of Environmental Protection, Carr Building, Room 170, 3800 Commonwealth Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cindy Phillips, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9098, E-mail cindy.phillips@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida

32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Cindy Phillips, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9098, E-mail cindy.phillips@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-297.100 Purpose and Scope.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History-Formerly 17-2.700(1)(a), 17-297.100, Amended 11-23-94, 3-13-96, Repealed.

62-297.520 EPA Continuous Monitor Performance Specifications.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History-New 6-29-93, Formerly 17-297.520, Amended 11-23-94, 3-13-96, 3-2-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-301.100	Findings, Declaration and Intent
62-301.200	Definitions
62-301.400	Determination of the Landward Extent of Surface Waters of the State

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is no longer needed. Entities that qualify for grandfathering under Sections 373.4145(6)(b), 373.414 (11), (12), (13), (14), or (16), F.S., and applicants for permits from the Bureau of Mining and Minerals Regulation under Section 373.414(15), F.S., can continue to use this historic wetland delineation methodology if they so qualify, because this rule, even if repealed, will be preserved as it existed on the dates provided in the above statutory sections.

OTHER RULES INCORPORATING THIS RULE: Chapter 62-301 is referenced by rules 62-25.020, 62-113.200, 62-312.030, 62-312.045, 62-312.050, 62-312.818, 62-312.819, 62-312.822, 62-330.100, 62-340.100, 62-611.500, 62-621.303, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed repeals will have no substantive effect on the rule sections that cross reference Chapter 62-301, F.A.C., because this rule chapter, even if repealed, will be preserved pursuant to the grandfathering under Sections 373.4145(6)(b), 373.414 (11), (12), (13), (14), and (16), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not require ratification by the Florida Legislature, because the rules are being repealed to reduce rules that are duplicative, unnecessarily burdensome, or no longer needed.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.085, 403.086, 403.087, 403.088, 403.101, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708, 403.802, 403.817 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 12, 2012, 1:30 p.m.

PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400, telephone (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-0872)

THE FULL TEXT OF THE PROPOSED RULES IS:

62-301.100 Findings, Declaration and Intent.

Rulemaking Specific Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS. Law Implemented 403.021, 403.061, 403.085, 403.086, 403.087, 403.088, 403.101, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708, 403.802 FS. History–New 5-29-90, Formerly 17-301.100, Repealed.

62-301.200 Definitions.

Rulemaking Specific Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS. Law Implemented 403.021, 403.031, 403.061, 403.085, 403.086, 403.087, 403.088, 403.502, 403.802 FS. History–New 5-29-90, Formerly 17-302.200, Repealed.

62-301.400 Determination of the Landward Extent of Surface Waters of the State.

Rulemaking Specific Authority 403.061, 403.805 FS. Law Implemented 403.021, 403.031, 403.061, 403.087, 403.088, 403.802, 403.817 FS. History–Formerly 17-4.02(17), Amended 10-1-84, 10-16-84, Formerly 17-4-022, 17-3.022, 17-301.400, Amended 1-8-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-303.810	Impairment of Interstate and Tribal Waters

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is unnecessary since coordination with other states and tribes occurs without it.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: coordination with other states and tribes occurs without the need for this rule. There is no economic consequence with rule repeal.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.062, 403.067 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, January 4, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429 or the below information. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-303.810 Impairment of Interstate and Tribal Waters.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Repromulgated 1-2-07, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-304.200 Definitions

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: There is only one sentence in the entire rule and it only cross-references actual definitions in Section 403.031, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule duplicates definitions in Section 403.031, F.S., and is not needed. There are no costs that would result with rule repeal.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, January 4, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jan Mandrup-Poulsen at (850)245-8448 or the below information. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jan Mandrup-Poulsen, Department of Environmental Protection, Bureau of Watershed Restoration, MS 3555, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: jan.mandrup-poulsen@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.200 Definitions.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.031, 403.061, 403.062, 403.067 FS. History--New 5-24-01, Repromulgated 12-22-04, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-305.900
RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The rule is unnecessary as the single form identified in the rule is already incorporated into the rule chapter.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: there are no costs associated with repealing this rule since the form referenced in the rule is incorporated elsewhere in the rule chapter.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 201.15(8), 403.890(1)(b) FS.
LAW IMPLEMENTED: 201.15(8), 403.890(1)(b) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Wednesday, January 4, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kristine Jones at (850)245-8682 or the below information. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kristine Jones, Department of Environmental Protection, Bureau of Watershed Restoration, MS 3570, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: kristine.p.jones@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-305.900 Forms.

Rulemaking Specific Authority 201.15(8), 403.890(1)(b) FS. Law Implemented 201.15(8), 403.890(1)(b) FS. History--New 10-29-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-312.010	Scope of Part I
62-312.020	Definitions
62-312.030	Jurisdiction
62-312.040	Jurisdictional Declaratory Statements
62-312.045	Jurisdictional Intent
62-312.050	Exemptions
62-312.060	Procedures to Obtain a Permit
62-312.065	Additional Requirements and Procedures for Concurrent Review of Related Applications
62-312.070	Short Form Applications for Certain Dredging or Filling
62-312.080	Standards for Issuance or Denial of a Permit
62-312.082	Duration of Permits

62-312.085	Periodic Review of Permits		Municipal Governments for the
62-312.090	Emergency Classification and Procedures		Construction of Freshwater Fish Attractors
62-312.100	Modification of Permits	62-312.815	General Permit for Ski Jumps and Slalom Courses
62-312.200	Scope of Part II		
62-312.210	Procedures to Obtain a Long-Term Permit	62-312.816	General Permit for the Construction or Maintenance of Culverted Driveway or Roadway Crossings and Bridges of Artificial Waterways
62-312.220	Standards for Issuance or Denial of a Long-Term Permit		
62-312.300	Intent	62-312.817	General Permit for the Construction of Aerial Pipeline Crossings of Certain Waters
62-312.310	Definitions		
62-312.320	Incorporation of Mitigation into the Permit Application Process	62-312.818	General Permit for Subaqueous Utility Crossings of Artificial Waterways
62-312.330	Mitigation Proposals		
62-312.340	Evaluation of Mitigation Proposals		
62-312.350	Determination of Success for Mitigation Projects	62-312.819	General Permit for the Limited Dredging of Sediment for Aquatic Plant Management Purposes
62-312.360	Pre-Construction Mitigation		
62-312.370	Restrictions on Property Use	62-312.822	General Permit for the Construction and Maintenance of Electric Power Lines by Electric Utilities
62-312.380	Release from Responsibility		
62-312.390	Financial Responsibility		
62-312.800	Scope of Part V	62-312.823	General Permit for Floating Vessel Platforms and Floating Boat Lifts
62-312.801	General Permit to U.S. Forest Service for Minor Works Within National Forests in Florida	62-312.824	General Permit to Municipalities to Pave Existing Municipally Owned and Maintained Roads, including the Repair and Replacement of Bridges that are Part of the Roadway
62-312.803	General Permit for Installation or Maintenance of Boat Ramps		
62-312.804	General Permit for Riprap		
62-312.805	General Permit for Headwalls and Culverts Associated with a Stormwater Discharge Facility	62-312.825	General Permit to U.S. Army Corps of Engineers for Environmental Restoration or Enhancement Activities
62-312.806	General Permit to the Florida Department of Transportation for Minor Works Within FDOT Rights-of-Way or Easements		
62-312.807	General Permit for the Construction of Artificial Reefs		
62-312.808	General Permit for Certain Piers and Associated Structures		
62-312.809	General Permit to the Florida Department of Transportation for Minor Bridge Construction		
62-312.810	General Permit to Perform Prospecting Activities for Phosphate Minerals		
62-312.811	General Permit for Temporary Dragline Crossings of Waterways		
62-312.812	General Permit for Low Water Crossings		
62-312.813	General Permit for the Installation of Fences		
62-312.814	General Permit to Florida Game and Fresh Water Fish Commission, U.S. Forest Service, and County and		

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal all of the rules in Chapter 62-312, F.A.C., "Dredge and Fill Activities," except Rules 62-312.400 through 62-312.470, F.A.C. (Part IV Additional Criteria for Dredging and Filling Within Outstanding Florida Waters in Monroe County), and 62-312.900, because they are no longer necessary. The reason why each rule is no longer needed is provided below.

In general, all of Chapter 62-312, F.A.C., except Part IV, is applicable only to the following: 1) those activities previously permitted or subject to a pending, complete, wetland resource permit application at the time the rules implementing the environmental resource permit (ERP) program under Part IV of Chapter 373, F.S., became effective (October 3, 1995, except within the "the Panhandle" [the geographical territory of the Northwest Florida Water Management District], and November 1, 2010, within the Panhandle when the "Phase 2

ERP rules” adopted under Section 373.4145(1)(b), F.S., were adopted); 2) those activities subject to the “grandfathering” provisions of Sections 373.414(11), (12), (13), (14), and (16), F.S.; and 3) those mining activities that qualify to use the provisions of Section 373.414(15), F.S. Entities who qualify for those provisions will be able to continue to use the rules proposed for repeal below, because Sections 373.414(11) through (16), F.S., specifically preserve the rules that existed under Section 403.91 through 403.929, 1984 Supplement to the Florida Statutes 1983, as amended, and Section 373.4145(6), F.S., specifically preserves the rules governing dredging and filling as they existed under Section 373.4145, F.S., 1994.

For the reason stated above, the following rules are proposed for repeal because they are no longer necessary: Rules 62-312.010, 62-312.030, 62-312.045, 62-312.050, 62-312.060, 62-312.065, 62-312.070, 62-312.080, 62-312.082, 62-312.085, 62-312.090, 62-312.100, 62-312.200, 62-312.210, 62-312.220, 62-312.300, 62-312.310, 62-312.320, 62-312.330, 62-312.340, 62-312.350, 62-312.360, 62-312.370, 62-312.380, and 62-312.390 F.A.C.

Subsections 62-312.020(5), (8), (9), (14), (15), (16) and (19), F.A.C., can be repealed for the same reason stated above. In addition, subsections 62-312.020(1) through (4), (6), (7), (10), (11), (12), (13), (17) and (18), F.A.C., can be repealed because they are repetitive of statutory definitions. For these reasons, all of Rule 62-312.020, F.A.C., can be repealed.

Provisions of Rule 62-312.340, F.A.C., relating to ratios applicable to mitigation also can be repealed because they are superseded by the Uniform Mitigation Assessment Method in Chapter 62-345, F.A.C., except as provided in subsections 62-345.100(6) and (7), F.A.C., which preserve the rules in effect before the effective date of Chapter 62-345, F.A.C. (February 2, 2004) for the specified activities.

The “Scope of General Permits” in Rule 62-312.800, F.A.C., and the general permits in Rules 62-312.801, 62-312.803, 62-312.804, 62-312.805, 62-312.806, 62-312.807, 62-312.808, 62-312.809, 62-312.810, 62-312.811, 62-312.812, 62-312.816, 62-312.817, 62-312.818, 62-312.822, 62-312.823, 62-312.825, F.A.C., are now obsolete; they have been superseded by analogous noticed general permits in Chapter 62-341, F.A.C. The general permit in Rule 62-312.814, F.A.C., is obsolete because the methodology it authorized for constructing freshwater fish attractors is no longer commonly used. The general permit in Rule 62-312.815, F.A.C., is obsolete; an analogous noticed general permit does not exist for ski jumps and ski slalom courses because the Department concluded at the time the ERP rules were adopted in 1995 that these activities could cause more than minimal adverse individual and cumulative effects to wetlands and other surface waters and needed to be evaluated on a case-by-case basis. The general permit in Rule 62-312.819, F.S., has been superseded by the exemption in Section 403.813(1)(r), F.S. The general

permit in Rule 62-312.824, F.A.C., has been superseded by the Noticed General Permit in Rule 62-341.448, F.S. (for municipalities within the NFWFMD) and the exemption in Section 403.813(2)(t), F.S. (for counties within the NFWFMD, in accordance with Section 373.4145(3)(e), F.S.). For these reasons, the above rules can be repealed.

OTHER RULES INCORPORATING THIS RULE: Sub-sub-subparagraph 62-4.050(4)(e)7.a.(1), F.A.C.; sub-subparagraphs 62-4.050(4)(e)1.a., b., c., and d., and 4.a. and b., 62-312.050(4)(e)8.a. and b., 62-302.700(9)(i)11.m., 62-302.700(9)(i)13.c., 19.b., 29.d., and 41.i., F.A.C.; subparagraphs 62-4.070(4)(e)6., 62-4.242(2)(f)2., 62-302.700(9)(a)(i)5., 62-302.700(9)(i)12., 13., 15., 17., 22., and 38., and 62-346.071(1)(j)a., F.A.C.; subsections 62-29.050(3), 62-110.107(1), (3), and (5), 62-302.300(17), 62-312.400(1), 62-341.900(3), 62-343.050(2), and 62-346.020(2), F.A.C.; and Rules 62-25.060, 62-330.100, 62-342.200, F.A.C.

EFFECT ON THOSE OTHER RULES: The effect must be determined on a case-by-case basis, as discussed below. Some of the above, such as those in Rule 62-302.700, F.A.C., include references to Chapter 62-312, F.A.C., rules with specific dates of incorporation by reference; those rules will not need to be amended, because the version of the Chapter 62-312, F.A.C., rules that existed on those dates will not be affected by these repeals. Rule 62-302.700, F.A.C., and subsection 62-312.400(1), F.A.C., contain references to terms defined in Rule 62-312.020, F.A.C., that need to be revised to cite to other rule or statutes that define those terms. Rules 62-4.050, 62-110.107, and 62-302.300, F.A.C., and subsections 62-343.050(2) and 62-346.020(2), F.A.C., include Chapter 62-312, F.A.C., references that need to be retained so that persons relying on the “grandfathering” provisions of Sections 373.414(11) through (16), F.S., and Section 373.4145(6), F.S., will know the fee to pay and licensing requirements for the needed permit applications or notices; however, those references may need to be revised to add the date of the Chapter 62-312, F.A.C., rules that existed prior to their repeal. Similarly, Rule 62-342.200, F.A.C., and paragraph 62-342.750(1)(c), refer to the success criteria in Rule 62-312.350, F.A.C., that need to be retained but revised to add the date of the Chapter 62-312, F.A.C., rules that existed prior to their repeal, so that mitigation bankers can continue to rely on those criteria. Rule 62-25.060, F.A.C., contains references to previously repealed rules in Chapter 62-312, F.A.C., and subsection 62-110.107(1), F.A.C., references subsection 62-312.006(5), F.A.C., which does not exist; those references will be removed or corrected through technical amendments. Subsection 62-29.050(3), F.A.C., contains references to existing and repealed Chapter 62-312, F.A.C., rules; however, those deficiencies will be cured if Chapter 62-29, F.A.C., is repealed, as is proposed through separate rulemaking. Subsection 62-110.107(3), contains a reference to the general permit intent provisions in Rule 62-312.800, F.A.C., that will

need to be deleted. Subparagraph 62-346.071(1)(j)a., F.A.C., references a general permit in Rule 62-312.824, F.A.C., that has been replaced by the noticed general permit in Rule 62-341.448, F.A.C., that will have to be revised to remove that reference. Rule 62-330.100, F.A.C., provides that Rule 62-312.020, F.A.C., (definitions proposed for repeal) and Rules 62-312.400 through .470, F.A.C., (special provisions to protect the Outstanding Florida Waters in Monroe County that are not being repealed) are to be used in conjunction with rules of the water management districts that are incorporated by reference in Rule 62-330.200, F.A.C.; the reference to Rule 62-312.020, F.A.C., will need to be updated to cite to other rules or statutes that define the applicable terms; the reference to Rules 62-312.400 through .470, F.A.C., does not need to be amended. Rules of the water management districts incorporated by reference in Rule 62-330.200, F.A.C., that include references to rules in Chapter 62-312, F.A.C., proposed for repeal may need to be amended in Rule 62-330.200, F.A.C., to correct those citations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rules are not required by statute and are being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.026, 373.043, 373.044, 373.118, 373.406, 373.414(11)-(16), 373.4145, 403.805(1), 403.813(1), 403.813(1)(t), 403.814(1) FS.

LAW IMPLEMENTED: 120.53(1), 120.60, 161.041, 161.055, 253.03, 253.04, 253.123, 253.124, 253.77, 258.42, 258.43, 373.026, 373.042, 373.043, 373.046, 373.118, 373.403, 373.409, 373.413, 373.414, 373.414(9), (11), (12), (12)(a), (13), (14), (15), (16), 373.4145, 373.416, 373.418, 373.422, 373.423, 373.426, 373.427, 373.4275, 403.031, 403.061, 403.062, 403.087, 403.803, 403.0875, 403.088, 403.161, 403.812, 403.813, 403.813(1), 403.813(1)(t), 403.814, 403.815, 403.816, 403.817, 403.911, 403.912, 403.913, 403.914, 403.918, 403.918-921, 403.919, 403.921, 403.922, 403.923, 403.924, 403.925, 403.927, 403.929, 403.931 FS., Section 9, Chapter 84-79, Laws of Florida.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 12, 2012, 9:00 a.m., ET

PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-1062)

THE FULL TEXT OF THE PROPOSED RULES IS:

62-312.010 Scope of Part I.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.409, 373.413, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.416, 373.418, 403.061, 403.813, 403.814 FS. History—New 12-10-84, Amended 8-7-85, Formerly 17-12.010, 17-312.010, Amended 10-3-95, Repealed.

62-312.020 Definitions.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.031, 403.061, 403.803, 403.911, 403.912 FS. History—New 12-10-84, Amended 8-30-88, 3-26-89, Formerly 17-12.020, Amended 11-16-92, Formerly 17-312.020, Repealed.

62-312.030 Jurisdiction.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.031, 403.061, 403.813, 403.817, 373.414 FS. History—New 12-10-84, Amended 3-26-89, Formerly 17-12.030, Amended 12-7-93, Formerly 17-312.030, Amended 8-7-95, Repealed.

62-312.040 Jurisdictional Declaratory Statements.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.817, 403.912, 403.913, 403.914 FS. History —New 10-16-84, Amended 3-26-89, Formerly 17-12.040, Amended 3-12-90, 9-8-92, Formerly 17-312.040, Repealed.

62-312.045 Jurisdictional Intent.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.031, 403.061, 403.062, 403.087, 403.912 FS., Section 9, Chapter 84-79, Laws of Florida. History–New 12-10-84, Amended 3-26-89, Formerly 17-12.045, 17-312.045, Repealed.

62-312.050 Exemptions.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.031, 403.061, 403.161, 403.812, 403.813, 403.912, 403.913, 403.918 FS. History–New 12-10-84, Amended 11-11-85, 8-30-88, 3-26-89, Formerly 17-12.050, Amended 3-12-90, 7-11-90, 4-12-92, Formerly 17-312.050, Repealed.

62-312.060 Procedures to Obtain a Permit.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.813, 403.912, 403.913, 403.919, 403.921, 403.922, 403.923, 403.927 FS. History–New 10-16-84, Amended 8-28-85, 1-3-89, 3-26-89, Formerly 17-12.060, 17-312.060, Amended 8-16-98, Repealed.

62-312.065 Additional Requirements and Procedures for Concurrent Review of Related Applications.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 120.60, 161.041, 161.055, 253.03, 253.77, 258.42, 258.43, 373.414(11)-(16), 373.4145, 373.427, 373.4275, 403.061 FS. History–New 10-12-95, Repealed.

62-312.070 Short Form Applications for Certain Dredging or Filling.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.813, 403.911, 403.912 FS. History–New 10-16-84, Amended 3-26-89, Formerly 17-12.090, Amended 3-12-90, 4-12-92, Formerly 17-312.070, Repealed.

62-312.080 Standards for Issuance or Denial of a Permit.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.042, 373.403, 373.413, 373.414(11)-(16), 373.4145, 373.416, 373.426, 403.031, 403.061, 403.815, 403.912, 403.913, 403.918, 403.919 FS. History–New 12-10-84, Amended 10-15-86, 3-26-89, Formerly 17-12.070, Amended 10-13-92, Formerly 17-312.080, Repealed.

62-312.082 Duration of Permits.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.816, 403.912, 403.921 FS. History–New 10-16-84, Formerly 17-12.072, Amended 3-26-89, 12-17-90, Formerly 17-312.082, Repealed.

62-312.085 Periodic Review of Permits.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.912, 403.921 FS. History–New 10-16-84, Amended 3-26-89, Formerly 17-12.075, 17-312.085, Repealed.

62-312.090 Emergency Classification and Procedures.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.912 FS. History–New 10-16-84, Amended 3-26-89, Formerly 17-12.080, 17-312.090, Repealed.

62-312.100 Modification of Permits.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.912, 403.919, 403.921, 403.922, 403.923, 403.924, 403.925, 403.927, 403.929 FS. History–New 10-16-84, Amended 3-26-89, Formerly 17-12.100, 17-312.100, Repealed.

62-312.200 Scope of Part II.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.409, 373.413, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.416, 373.418, 403.061 FS. History–New 12-10-84, Amended 3-26-89, Formerly 17-12.200, 17-312.200, Amended 10-3-95, Repealed.

62-312.210 Procedures to Obtain a Long-Term Permit.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414, 373.4145, 403.815 FS. History–New 10-16-84, Amended 3-26-89, Formerly 17-12.210, 17-312.210, Amended 8-16-98, Repealed.

62-312.220 Standards for Issuance or Denial of a Long-Term Permit.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.031, 403.061, 403.912, 403.913, 403.918, 403.919 FS. History–New 12-10-84, Amended 3-26-89, Formerly 17-12.220, 17-312.220, Repealed.

62-312.300 Intent.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.409, 373.413, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.416, 373.418, 403.061 FS. History–New 1-3-89, Formerly 17-12.300, 17-312.300, Amended 10-3-95, Repealed.

62-312.310 Definitions.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.912, 403.913, 403.918 FS. History–New 1-3-89, Formerly 17-12.310, 17-312.310, Repealed.

62-312.320 Incorporation of Mitigation into the Permit Application Process.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.912, 403.913, 403.918, 403.919, 403.921 FS. History–New 1-3-89, Formerly 17-12.320, 17-312.320, Repealed.

62-312.330 Mitigation Proposals.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.912, 403.913, 403.918 FS. History–New 1-3-89, Formerly 17-12.330, 17-312.330, Repealed.

62-312.340 Evaluation of Mitigation Proposals.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.912, 403.913, 403.918, 403.919, 403.921 FS. History–New 1-3-89, Formerly 17-12.340, 17-312.340, Repealed.

62-312.350 Determination of Success for Mitigation Projects.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.912, 403.913, 403.918 FS. History–New 1-3-89, Formerly 17-12.350, 17-312.350, Repealed.

62-312.360 Pre-Construction Mitigation.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.912, 403.913, 403.918 FS. History–New 1-3-89, Formerly 17-12.360, 17-312.360, Repealed.

62-312.370 Restrictions on Property Use.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.912, 403.913, 403.918, 403.919, 403.921 FS. History–New 1-3-89, Formerly 17-12.370, 17-312.370, Repealed.

62-312.380 Release from Responsibility.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.912, 403.913, 403.918, 403.921 FS. History–New 1-3-89, Formerly 17-12.380, 17-312.380, Repealed.

62-312.390 Financial Responsibility.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.912, 403.913, 403.918, 403.921 FS. History–New 1-3-89, Formerly 17-12.390, 17-312.390, Repealed.

62-312.800 Scope of Part V.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.409, 373.413, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.416, 373.418, 403.061, 403.813, 403.814 FS. History–New 3-26-89, Formerly 17-12.800, 17-312.800, Amended 10-3-95, Repealed.

62-312.801 General Permit to U.S. Forest Service for Minor Works Within National Forests in Florida.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 253.123, 253.124, 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817 FS. History–New 7-8-82, Formerly 17-4.55, 17-4.550, Amended 3-26-89, Formerly 17-12.801, 17-312.801, Repealed.

62-312.803 General Permit for Installation or Maintenance of Boat Ramps.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 253.123, 253.124, 373.414(11)-(16), 474.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817 FS. History–New 7-8-82, Formerly 17-4.57, 17-4.570, Amended 3-26-89, Formerly 17-12.803, 17-312.803, Repealed.

62-312.804 General Permit for Riprap.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 253.123, 253.124, 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817 FS. History–New 7-8-82, Formerly 17-4.58, 17-4.580, Amended 3-26-89, Formerly 17-12.804, 17-312.804, Repealed.

62-312.805 General Permit for Headwalls and Culverts Associated with a Stormwater Discharge Facility.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 253.123, 253.124, 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817 FS. History–New 7-8-82, Formerly 17-4.59, 17-4.590, 17-12.805, 17-312.805, Repealed.

62-312.806 General Permit to the Florida Department of Transportation for Minor Works Within FDOT Rights-of-Way or Easements.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817, 403.912, 403.913, 403.918-921, 403.931 FS. History–New 4-26-84, Formerly 17-4.66, 17-4.660, Amended 1-1-89, 3-26-89, Formerly 17-12.806, Amended 7-11-90, 1-29-91, Formerly 17-312.806, Repealed.

62-312.807 General Permit for the Construction of Artificial Reefs.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 253.123, 253.124, 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817 FS. History–New 4-26-84, Formerly 17-4.68, 17-4.680, 17-12.807, 17-312.807, Repealed.

62-312.808 General Permit for Certain Piers and Associated Structures.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 253.123, 253.124, 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817 FS. History–New 4-26-84, Formerly 17-4.69, 17-4.690, Amended 3-26-89, Formerly 17-12.808, 17-312.808, Repealed.

62-312.809 General Permit to the Florida Department of Transportation for Minor Bridge Construction.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.817, 403.912, 403.913, 403.918, 403.931 FS. History–New 7-11-90, Amended 1-29-91, Formerly 17-312.809, Repealed.

62-312.810 General Permit to Perform Prospecting Activities for Phosphate Minerals.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.814, 403.912, 403.913, 403.918, 403.919 FS. History–New 9-3-86, Formerly 17-4.750, 17-12.810, 17-312.810, Repealed.

62-312.811 General Permit for Temporary Dragline Crossings of Waterways.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.814, 403.912, 403.913, 403.918, 403.919 FS. History–New 9-3-86, Formerly 17-4.760, 17-12.811, 17-312.811, Repealed.

62-312.812 General Permit for Low Water Crossings.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.814, 403.912, 403.913, 403.918, 403.919 FS. History–New 9-3-86, Formerly 17-4.770, 17-12.812, 17-312.812, Repealed.

62-312.813 General Permit for the Installation of Fences.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.912, 403.913, 403.918, 403.919 FS. History–New 9-3-86, Formerly 17-4.780, 17-12.813, 17-312.813, Repealed.

62-312.814 General Permit to Florida Game and Fresh Water Fish Commission, U.S. Forest Service, and County and Municipal Governments for the Construction of Freshwater Fish Attractors.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.912, 403.913, 403.918, 403.919 FS. History–New 9-3-86, Formerly 17-4.790, 17-12.814, 17-312.814, Repealed.

62-312.815 General Permit for Ski Jumps and Slalom Courses.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813, 403.814, 403.912, 403.913, 403.918, 403.919 FS. History–New 9-3-86, Amended 10-28-87, Formerly 17-4.800, 17-12.815, 17-312.815, Repealed.

62-312.816 General Permit for the Construction or Maintenance of Culverted Driveway or Roadway Crossings and Bridges of Artificial Waterways.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.814, 403.912, 403.913, 403.918, 403.919 FS. History–New 9-3-86, Formerly 17-4.810, Amended 3-26-89, Formerly 17-12.816, 17-312.816, Repealed.

62-312.817 General Permit for the Construction of Aerial Pipeline Crossings of Certain Waters.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.814, 403.912, 403.913, 403.918, 403.919 FS. History–New 9-3-86, Formerly 17-4.820, 17-12.817, Amended 11-27-91, Formerly 17-312.817, Repealed.

62-312.818 General Permit for Subaqueous Utility Crossings of Artificial Waterways.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.814, 403.912, 403.913, 403.918, 403.919 FS. History–New 11-16-89, Formerly 17-312.818, Repealed.

62-312.819 General Permit for the Limited Dredging of Sediment for Aquatic Plant Management Purposes.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.062, 403.087, 403.813, 403.814, 403.817, 403.912, 403.913 FS. History–New 12-17-90, Formerly 17-312.819, Repealed.

62-312.822 General Permit for the Construction and Maintenance of Electric Power Lines by Electric Utilities.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.814 FS. History–New 1-19-94, Formerly 17-312.822, Repealed.

62-312.823 General Permit for Floating Vessel Platforms and Floating Boat Lifts.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1), 403.813(1), 403.814(1) FS. Law Implemented 253.04, 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.813(1), 403.814(1) FS. History–New 8-4-05, Repealed.

62-312.824 General Permit to Municipalities to Pave Existing Municipally Owned and Maintained Roads, including the Repair and Replacement of Bridges that are Part of the Roadway.

Rulemaking Specific Authority 373.414(11)-(16), 373.4145, 403.805(1), 403.813(1)(t) FS. Law Implemented 373.414(11)-(16), 373.4145, 403.061, 403.087, 403.088, 403.813(1)(t), 403.814, 403.817, 403.912, 403.913, 403.918 - .921, 403.931 FS. History—New 3-15-07, Repealed.

62-312.825 General Permit to U.S. Army Corps of Engineers for Environmental Restoration or Enhancement Activities.

Rulemaking Specific Authority 373.026, 373.043, 373.044, 373.118, 373.406, 373.4145 FS. Law Implemented 373.026, 373.043, 373.046, 373.118, 373.403, 373.413, 373.4145, 373.416, 373.418, 373.419, 373.422, 373.423, 373.426 FS. History—New 12-5-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-341.603	General Permit for Non-nursery Cultivation and Wild Collection of Aquatic Plants

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal of Rule 62-341.603, F.A.C., “General Permit for Non-nursery Cultivation and Wild Collection of Aquatic Plants.” This noticed general permit references outdated rules of the Florida Fish & Wildlife Conservation Commission. Non-nursery cultivation and wild collection of aquatic plants is now administered by the Department of Agriculture and Consumer Services under Sections 369.20 through 369.255, F.S., and Chapter 5B-64, F.A.C. The Department’s records indicate no one has ever used this NGP; it has been substantively replaced by the exemptions in Sections 403.813(1)(r) and (u), F.S. The rule may be repealed because it is outdated and unnecessary.

OTHER RULES INCORPORATING THIS RULE: There are no references to Rule 62-341.603, F.A.C., in other rules of the Department.

EFFECT ON THOSE OTHER RULES: The rule proposed for repeal is not incorporated by other chapters or rules and therefore, the repeal will not affect any other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is not required by statute and is being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.026(7), 373.043, 373.118(1), 373.406(5), 373.414(9), 373.418, 403.805(1) FS.

LAW IMPLEMENTED: 373.118(1), 373.406(5), 373.413, 373.414(9), 373.416, 373.418 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 13, 2012, 10:30 a.m., ET
 PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-1063)

THE FULL TEXT OF THE PROPOSED RULE IS:

62-341.603 General Permit for Non-nursery Cultivation and Wild Collection of Aquatic Plants.

Rulemaking Specific Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.414(9), 373.416, 373.418 FS. History—New 10-3-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-342.300
RULE TITLE: Use of a Mitigation Bank

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal Rule 62-342.300, F.A.C., "Use of a Mitigation Bank," that is no longer necessary because similar language already exists in section 10.3.1.2 of the "Department of Environmental Protection and Northwest Florida Water Management District Environmental Resource Permit Applicant's Handbook Volume I (General and Environmental)," incorporated by reference in Rule 62-346.010, F.A.C., and in the Basis of Review/Applicant's Handbook of the following water management districts: section 12.3.1.2 in the Suwannee River Water Management District's "Environmental Resource Permit Applicant's Handbook – May 2002," incorporated by reference in subsection 40B-400.091(1), F.A.C. (July 1, 2007); section 12.3.1.2 in the St. John's River Water Management District's "Applicant's Handbook: Management and Storage of Surface Waters," effective December 27, 2010, incorporated by reference in paragraph 40C-4.091(1)(a), F.A.C. (December 27, 2010); section 3.3.1.2 in the Southwest Florida Water Management District's "Environmental Resource Permitting Information Manual Part B, Basis of Review, Environmental Resource Permit Applications within the Southwest Florida Water Management District, December 8, 2010," incorporated by reference in subsection 40D-4.091(1), F.A.C. (December 8, 2010); and section 4.3.1.2 in the South Florida Water Management District's "Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, effective date July 4, 2010," incorporated by reference in paragraph 40E-4.091(1)(a), F.A.C. (July 4, 2010). Those sections are more applicable to users of the mitigation banks (applicants who propose

otherwise unpermittable adverse impacts to wetlands or other surface waters) than to the mitigation bankers (who are the focus of Chapter 62-342, F.A.C.).

OTHER RULES INCORPORATING THIS RULE: This rule is not referenced in any other rule or chapter.

EFFECT ON THOSE OTHER RULES: There are no other rules that incorporate Rule 62-342.300, F.A.C.; therefore, there will be no effect from the repeal.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is not required by statute and is being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.4136(11) FS

LAW IMPLEMENTED: 373.4135, 373.4136 FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 13, 2012, 1:30 p.m., ET

PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-1064)

THE FULL TEXT OF THE PROPOSED RULE IS:

62-342.300 Use of a Mitigation Bank.

~~Rulemaking Specific~~ Authority 373.4136(11) FS. Law Implemented 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.300, Amended 5-21-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-343.010
RULE TITLE: Policy and Purpose

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal the “Policy and Purpose” section of Chapter 62-343, F.A.C., Environmental Resource Permit Procedures, that is no longer necessary. This rule informs readers of its relationship to other rule chapters, including advising applicants that fees required by the rule are located in Chapter 62-4, F.A.C. While this rule is helpful to the public, it is not critical that it remain. It does not impose any regulatory requirements or costs. Most of its useful text is already contained in Rule 62-343.020, F.A.C., and is therefore duplicative of that rule.

OTHER RULES INCORPORATING THIS RULE: There are no other chapters or rules that incorporate Rule 62-343.010, F.A.C.

EFFECT ON THOSE OTHER RULES: This rule is not incorporated by other chapters or rules; therefore, there will be no effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is not required by statute and is being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.026(7), 373.043, 373.118 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.421, 373.426 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 13, 2012, 3:30 p.m., ET

PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-1065)

THE FULL TEXT OF THE PROPOSED RULE IS:

62-343.010 Policy and Purpose.

~~Rulemaking Specific~~ Authority 373.026(7), 373.043, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.421, 373.426 FS. History—New 7-4-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-344.900
RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal of the following rule in Chapter 62-344, F.A.C., Delegation of the Environmental Resource Program to Local Governments, that the Department has determined is obsolete or otherwise no longer necessary in accordance with Executive Order 11-01.

Repeal Rule 62-344.900, which incorporates by reference a form that is only a suggested format and is not needed. This entire rule section can be repealed.

OTHER RULES INCORPORATING THIS RULE: There are no other rules or chapters that incorporate Rule 62-344.900, F.A.C.

EFFECT ON THOSE OTHER RULES: This rule is not incorporated by other rules or chapters; therefore, this repeal will have no effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule is not required by statute and is being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.441 FS.

LAW IMPLEMENTED: 373.441 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 11, 2012, 1:30 p.m., ET

PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and

Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8486 or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-1065)

THE FULL TEXT OF THE PROPOSED RULE IS:

62-344.900 Forms.

Rulemaking Specific Authority 373.441 FS. Law Implemented 373.441 FS. History--New 8-29-95, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-346.091	Documents Incorporated by Reference
62-346.900	Environmental Resource Permit Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal two rules in Chapter 62-346, F.A.C., Environmental Resource Permitting in Northwest Florida, that are not necessary. Rule 62-346.091, F.A.C., is helpful to the public in that it provides a consolidated list of documents that are incorporated by reference in other sections of Chapter 62-346, F.A.C. In accordance with Section 120.54, F.S., documents are incorporated by reference in the rule where they are first identified. Rule 62-346.091, F.A.C., does not directly incorporate any documents, therefore the listing of documents in this rule is not essential.

Rule 62-346.900, F.A.C., lists 17 forms that are incorporated by reference in other sections of Chapter 62-346, F.A.C., as a convenient way to identify for the public all the forms that are applicable to Chapter 62-346, F.A.C. However, for the same reason described above, this rule is unnecessary.

OTHER RULES INCORPORATING THIS RULE: There are no other rules or chapters that incorporate either of the rules in Chapter 62-346, F.A.C., proposed for repeal.

EFFECT ON THOSE OTHER RULES: Neither of these rules is incorporated by other rules or chapters and therefore, there will be no effect from these repeals.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rules are not required by statute and are being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.026, 373.026(7), 373.043, 373.044, 373.046, 373.113, 373.118, 373.4145, 373.416, 373.418, 373.421, 403.805(1) FS.

LAW IMPLEMENTED: 373.019, 373.026, 373.042, 373.409, 373.0421, 373.043, 373.046, 373.109, 373.413, 373.117, 373.118, 373.403, 373.409, 373.413, 373.4132, 373.414, 373.141(9), 373.4141, 373.4142, 373.4145, 373.416, 373.418, 373.419, 373.421, 373.4211, 373.423, 373.426, 373.428, 373.429, 373.433, 373.436, 373.439, 380.06, 380.06(9), 403.0877, 403.813(1), 403.813(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 11, 2012, 3:30 p.m., ET

PLACE: Room 609, Bob Martinez Building, 2600 Blair Stone Road, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mary VanTassel, Florida Department of Environmental Protection, Office of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8486, or e-mail: Mary.VanTassel@dep.state.fl.us. (OGC No. 11-1067)

THE FULL TEXT OF THE PROPOSED RULES IS:

62-346.091 Documents Incorporated by Reference.

Rulemaking Authority 373.026, 373.043, 373.044, 373.046, 373.113, 373.4145, 373.416, 373.418, 373.421, 403.805(1) FS. Law Implemented 373.026, 373.042, 373.409, 373.0421, 373.043, 373.046, 373.413, 373.4132, 373.141(9), 373.4142, 373.4145, 373.416, 373.418, 373.423, 373.426, 373.428, 373.433, 373.436, 373.439, 380.06(9), 403.813(1) FS. History—New 10-1-07, Amended 11-1-10, Repealed.

62-346.900 Environmental Resource Permit Forms.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.4145, 373.418, 373.421, 403.805(1) FS. Law Implemented 373.019, 373.026, 373.109, 373.117, 373.118, 373.403, 373.409, 373.413, 373.4132, 373.414, 373.4141, 373.4142, 373.4145, 373.416, 373.418, 373.419, 373.421, 373.4211, 373.423, 373.426, 373.428, 373.429, 380.06, 403.0877, 403.813(2) FS. History—New 10-1-07, Amended 11-1-10, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-503.101 Scope of the Rule

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-503.101, F.A.C., provides the scope and description of the remainder of the rules in Chapter 62-503, F.A.C., related to the State Revolving Fund Loan Program. This rule is purely informational and does not contain any requirements and therefore is unnecessary.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: Pursuant to the Department's review under Executive Order 11-01, the repeal of this unnecessary rule does not have any adverse impacts or impose regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.1835 FS.

LAW IMPLEMENTED: 403.1835 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 15, 2011, 1:00 p.m.

PLACE: 2600 Blair Stone Rd., Room 611, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tim Banks, 2600 Blair Stone Road, Tallahassee, Florida 32399, (850)245-8360, Timothy.banks@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Banks, 2600 Blair Stone Road, Tallahassee, Florida 32399, (850)245-8360; Timothy.banks@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-503.101 Scope of the Rule.

~~Rulemaking Specific~~ Authority 403.1835(5)(a) FS. Law Implemented 403.1835 FS. History--New 7-29-04. Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Banks

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:
 62-505.100 Scope
 62-505.850 Exception to Program Requirements
 PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-505.100 provides the scope and description of the remainder of the rules in Chapter 62-505, related to small community wastewater facilities grants. This rule is purely informational and does not contain any requirements and is therefore unnecessary. Rule 62-505.850, F.A.C., provides for exceptions to the requirements of Chapter 62-505, F.A.C., during the first year of implementation of rule amendments that were effective in January 2007. This rule is no longer applicable because the timeframe established in the rule has passed. The repeal of these rules will have no adverse effects on the rule or affected entities.

OTHER RULES INCORPORATING THIS RULE: None
 EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 the repeal of these unnecessary rules does not have any adverse impacts or impose regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.1835(10) FS.

LAW IMPLEMENTED: 403.1835(3)(d), 403.1838 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 15, 2011, 1:00 p.m.

PLACE: 2600 Blair Stone Rd, Room 611, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tim Banks, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8360, Timothy.banks@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Tim Banks, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8360, Timothy.banks@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-505.100 Scope.

Rulemaking Specific Authority 403.1835(10) FS. Law Implemented 403.1835(3)(d), 403.1838 FS. History–New 1-25-07, Repealed.

62-505.850 Exception to Program Requirements.

Rulemaking Specific Authority 403.1838(3)(a), (b) FS. Law Implemented 403.1835, 403.1838 FS. History–New 1-25-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Banks
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-521.100
 RULE TITLE: Scope and Intent of Wellhead Protection

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is informational only. No other rules incorporate this rule, and this rule does not affect any other rules outside Chapter 62-521, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of this rule is a result of the Department’s review pursuant to EO 11-01 and will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061 FS.
 LAW IMPLEMENTED: 403.021, 403.062 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.
 PLACE: Bob Martinez Building, Room 609, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Linda Ann Clemens, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399, Telephone: (850)245-8647, e-mail: linda.clemens@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Linda Ann Clemens, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399, Telephone: (850)245-8647, e-mail: linda.clemens@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-521.100 Scope and Intent of Wellhead Protection

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.062 FS. History–New 7-13-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donnie McClaugherty, P.G.
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: 62-524.720
 RULE TITLES: Fees for New Potable Water Wells in Delineated Areas
 62-524.730
 Inspections of New Potable Water Wells in Delineated Areas

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: These two rules are duplicative of Florida Statute 403.062. No other rules incorporate these rules and these rules do not affect other rules outside Chapter 62-524, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of these rules are a result of the Department's review pursuant to EO 11-01 and will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.309 FS.

LAW IMPLEMENTED: 373.309, 373.319 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: Bob Martinez Building, Room 609, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: David James, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, phone: (850)245-8648, e-mail: david.james@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: David James, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, phone: (850)245-8648, e-mail: david.james@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-524.720 Fees for New Potable Water Wells in Delineated Areas

Rulemaking Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309 FS. History--New 5-16-89, Amended 3-3-92, Formerly 17-524.720, Repealed.

62-524.730 Inspections of New Potable Water Wells in Delineated Areas

Rulemaking Specific Authority 373.309, 403.061, 403.062 FS. Law Implemented 373.309, 373.319 FS. History--New 5-16-89, Formerly 17-524.730, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donnie McClougherty, P.G.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-528.360	Prohibition of Hazardous Waste Injection
62-528.500	General Criteria for Class IV Wells
62-528.520	Waste Analysis For Class IV Wells
62-528.530	Ground Water Monitoring and Response for Class IV Wells
62-528.540	Closure and Post-Closure Requirements for Class IV Wells
62-528.550	Financial Requirements for Class IV Wells

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-528.360, F.A.C., is repetitive of Rule 62-528.400, which also prohibits hazardous waste injection. There are no Class IV wells in Florida and new Class IV wells are prohibited. Therefore, Rules 62-528.500, 62-528.520, 62-528.530, 62-528.540 and 62-528.550, F.A.C., are no longer needed. When Rule 62-528.530, F.A.C., is repealed, there will be no monitoring requirements for Class IV wells; however, there are no Class IV wells in Florida. Otherwise, no rules incorporate the six rules proposed here for repeal, and these rules do not affect any other rules outside Chapter 62-528, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of these rules are a result of the Department's review pursuant to EO 11-01 and will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.309, 403.061, 403.087, 403.704, 403.721 FS.

LAW IMPLEMENTED: 373.308, 403.021, 403.061, 403.062, 403.087, 403.161, 403.702, 403.721, 403.722, 403.727 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: Bob Martinez Building, Room 609, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: Joe Haberfeld, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, phone: (850)245-8655; e-mail: joe.haberfeld@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe Haberfeld, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, phone: (850)245-8655, e-mail: joe.haberfeld@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-528.360 Prohibition of Hazardous Waste Injection.

Rulemaking Specific Authority 373.309, 403.061, 403.087, 403.704, 403.721 FS. Law Implemented 373.308, 403.021, 403.061, 403.062, 403.087, 403.161, 403.721, 403.7222, 403.727 FS. History–New 8-10-95, Repealed.

62-528.500 General Criteria for Class IV Wells.

Rulemaking Specific Authority 403.061, 403.087, 403.704, 403.721 FS. Law Implemented 403.021, 403.061, 403.062, 403.087, 403.702, 403.721 FS. History–New 4-1-82, Formerly 17-28.41, 17-28.410, 62-28.410, Amended 8-10-95, Repealed.

62-528.520 Waste Analysis for Class IV Wells.

Rulemaking Specific Authority 403.061, 403.087, 403.704, 403.721 FS. Law Implemented 403.021, 403.061, 403.062, 403.087, 403.702, 403.721 FS. History–New 4-1-82, Formerly 17-28.43, 17-28.430, 62-28.430, Amended 8-10-95, Repealed.

62-528.530 Ground Water Monitoring and Response for Class IV Wells.

Rulemaking Specific Authority 403.061, 403.087, 403.704, 403.721 FS. Law Implemented 403.021, 403.061, 403.062, 403.087, 403.0877, 403.702, 403.721 FS. History–New 4-1-82, Amended 5-8-85, Formerly 17-28.44, 17-28.440, 62-28.440, Amended 8-10-95, 6-24-97, Repealed.

62-528.540 Closure and Post-Closure Requirements for Class IV Wells.

Rulemaking Specific Authority 403.061, 403.087, 403.704, 403.721 FS. Law Implemented 403.021, 403.061, 403.062, 403.087, 403.0877, 403.702, 403.721 FS. History–New 4-1-82, Amended 8-30-82, Formerly 17-28.45, 17-28.450, 62-28.450, Amended 8-10-95, 6-24-97, Repealed.

62-528.550 Financial Requirements for Class IV Wells.

Rulemaking Specific Authority 403.061, 403.087, 403.704, 403.721 FS. Law Implemented 403.021, 403.061, 403.062, 403.087, 403.702, 403.721 FS. History–New 4-1-82, Formerly 17-28.46, 17-28.460, 62-28.460, Amended 8-10-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donnie McClagherty, P.G.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-531.390	Exemptions from Water Well Contractor Licensing Requirement

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rulemaking repeals exemptions and procedures that already exist in Florida Statute 373.309. No other rules incorporate this rule, and this rule does not affect any other rules outside Chapter 62-531, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of this rule is a result of the Department's review pursuant to EO 11-01 and will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.043, 373.309 FS.

LAW IMPLEMENTED: 373.326 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: Bob Martinez Building, Room 609, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David James, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, phone: (850)245-8648; e-mail: david.james@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David James, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, phone: (850)245-8648, e-mail: david.james@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-531.390 Exemptions from Water Well Contractor Licensing Requirement.

Rulemaking Specific Authority 373.043, 373.309 FS. Law Implemented 373.326 FS. History—New 5-25-89, Formerly 17-531.390, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donnie McClaugherty, P.G.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-532.900 Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rulemaking repeals a forms section containing forms previously referenced in Rules 62-532.400 and 62-532.410, F.A.C. Rule 62-524.700, F.A.C., mentions that the forms in 62-532 should be used, but does not specifically reference them. No other rules incorporate this rule, and this rule does not affect any other rules outside Chapter 62-524, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of this rule is a result of the Department's review pursuant to EO 11-01 and will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 373.309 FS.

LAW IMPLEMENTED: 373.309, 373.313, 373.316 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: Bob Martinez Building, Room 609, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David James, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, phone: (850)245-8648; e-mail: david.james@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David James, P.G., Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, phone: (850)245-8648; e-mail: david.james@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-532.900 Forms.

Rulemaking Specific Authority 373.309 FS. Law Implemented 373.309, 373.313, 373.316 FS. History--New 10-7-10, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Donnie McClagherty, P.G.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-550.200	Definitions for Public Water Systems
62-550.310	Primary Drinking Water Standards: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels
62-550.340	Small System Compliance Technologies
62-550.500	General Monitoring and Compliance Measurement Requirements for Contaminants and Disinfectant Residuals
62-550.514	Disinfectant Residuals and Disinfection Byproducts Monitoring Requirements
62-550.540	Monitoring of Consecutive Public Water Systems
62-550.550	Certified Laboratories and Analytical Methods for Public Water Systems
62-550.720	Recordkeeping
62-550.730	Reporting Requirements for Public Water Systems
62-550.800	Control of Lead and Copper

62-550.817	Additional Requirements for Subpart H Water Systems
62-550.821	Disinfectant Residuals, Disinfection Byproducts (Stage 1), and Disinfection Byproduct Precursors
62-550.822	Initial Distribution System Evaluations and Stage 2 Disinfection Byproducts Requirements
62-550.824	Consumer Confidence Reports
62-550.828	Ground Water Rule

PURPOSE, EFFECT AND SUMMARY: The Department is adopting three U.S. Environmental Protection Agency (USEPA) drinking water rules – the Stage 2 Disinfectants and Disinfection Byproducts Rule, the Long Term 2 Enhanced Surface Water Treatment Rule, and the Ground Water Rule. Also, the Department is updating all of the dated USEPA regulation references in Chapter 62-550, F.A.C.

RULEMAKING AUTHORITY: 403.8055, 403.853(3), 403.861(9) FS.

LAW IMPLEMENTED: 403.0877, 403.852(12), (13), 403.853, 403.853(1), (3), (4), (7), 403.854, 403.859(1), 403.861(9), (16), (17), 403.8615, 403.862 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, FL 32399-2400, (850)245-8630, virginia.harmon@dep.state.fl.us

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BOULEVARD, TALLAHASSEE, FL 32399-3000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-550.200 Definitions for Public Water Systems.

For the purpose of this chapter and Chapters 62-555 and 62-560, F.A.C., the following words, phrases, or terms shall have the following meaning:

(1) "ACTION LEVEL" is the concentration of lead or copper in water specified in 40 C.F.R. §141.80(c) (July 1, 2011), which is incorporated by reference in Rule 62-550.800, F.A.C., the Code of Federal Regulations, title 40, part 141, Section 80(c) (1995) (abbreviated as 40 C.F.R. part 141.80(e)) which determines, in some cases, the treatment requirements

contained in 40 C.F.R. Part 141, Subpart I (July 1, 2011 4995), which is incorporated by reference in Rule 62-550.800, F.A.C., that a system is required to complete.

(2) through (4) No change.

(5) “BAG FILTERS” are pressure-driven separation devices that remove particulate matter larger than 1 micrometer using an engineered porous filtration media. They are typically constructed of a non-rigid, fabric filtration media housed in a pressure vessel in which the direction of flow is from the inside of the bag to outside. (40 C.F.R. §141.2 (July 1, 2011))

(6) “BANK FILTRATION” is a water treatment process that uses a well to recover surface water that has naturally infiltrated into ground water through a river bed or bank(s). Infiltration is typically enhanced by the hydraulic gradient imposed by a nearby pumping water supply or other well(s). (40 C.F.R. §141.2 (July 1, 2011))

(5) through (7) renumbered (7) through (9) No change.

(10) “CARTRIDGE FILTERS” are pressure-driven separation devices that remove particulate matter larger than 1 micrometer using an engineered porous filtration media. They are typically constructed as rigid or semi-rigid, self-supporting filter elements housed in pressure vessels in which flow is from the outside of the cartridge to the inside. (40 C.F.R. §141.2 (July 1, 2011))

(8) through (10) renumbered (11) through (13) No change.

(14) “COMBINED DISTRIBUTION SYSTEM” is the interconnected distribution system consisting of the distribution systems of wholesale systems and of the consecutive systems that receive finished water. (40 C.F.R. §141.2 (July 1, 2011))

(11) through (14) renumbered (15) through (18) No change.

(19)(45) “COMPREHENSIVE PERFORMANCE EVALUATION (CPE)” is a thorough review and analysis of a treatment plant’s performance-based capabilities and associated administrative, operation and maintenance practices. It is conducted to identify factors that may be adversely impacting a plant’s capability to achieve compliance and emphasizes approaches that can be implemented without significant capital improvements. For purpose of compliance with Subparts P and T of 40 C.F.R. Part 141 (which are incorporated by reference in paragraphs 62-550.817(3)(a) and (b), F.A.C.), the comprehensive performance evaluation must consist of at least the following components: Assessment of plant performance, evaluation of major unit processes, identification and prioritization of performance limiting factors; assessment of the applicability of comprehensive technical assistance; and preparation of a CPE report. (40 C.F.R. §141.2 (July 1, 2011)) “COMPREHENSIVE PERFORMANCE EVALUATION” means as defined in 40 CFR 141.2 (revised as of July 1, 2004):

(16) through (17) renumbered (20) through (21) No change.

(22)(48) “CONSECUTIVE SYSTEM” is a public water system that receives some or all of its finished water from one or more wholesale systems. Delivery may be through a direct connection or through the distribution system of one or more consecutive systems. (40 C.F.R. §141.2 (July 1, 2011)) “CONSECUTIVE SYSTEM” means a public water system that buys or otherwise receives some or all of its finished water from one or more other public water systems at least 60 days per year. A consecutive system is either a “community water system” or a “non-community water system.”

(19) through (22) renumbered (23) through (26) No change.

(27)(23) “CT” or “CTcalc” is the product of “residual disinfectant concentration” (C) in mg/L determined before or at the first customer, and the corresponding “disinfectant contact time” (T) in minutes, i.e., “C” x “T”. If a public water system applies disinfectants at more than one point prior to the first customer, it must determine the CT of each disinfectant sequence before or at the first customer to determine the total percent inactivation or “total inactivation ratio.” In determining the total inactivation ratio, the public water system must determine the residual disinfectant concentration of each disinfection sequence and corresponding contact time before any subsequent disinfection application point(s). “CT_{99.9}” is the CT value required for 99.9 percent (3-log) inactivation of *Giardia lamblia* cysts. CT_{99.9} for a variety of disinfectants and conditions appear in Tables 1.1 – 1.6, 2.1, and 3.1 of 40 C.F.R. §141.74(b)(3) (which is incorporated by reference in subsection 62-550.817(2), F.A.C.). (CTcalc)/(CT_{99.9}) is the inactivation ratio. The sum of the inactivation ratios, or total inactivation ratio shown as [(CTcalc)/(CT_{99.9})] is calculated by adding together the inactivation ratio for each disinfection sequence. A total inactivation ratio equal to or greater than 1.0 is assumed to provide a 3-log inactivation of *Giardia lamblia* cysts. (40 C.F.R. §141.2 (July 1, 2011)) “CT or CTCALC” means as defined in 40 CFR 141.2 (revised as of July 1, 2004).

(24) through (32) renumbered (28) through (36) No change.

(37) “DUAL SAMPLE SET” is a set of two samples collected at the same time and same location, with one sample analyzed for TTHM and the other sample analyzed for HAA5. Dual sample sets are collected for the purpose of conducting an IDSE under Subpart U of 40 C.F.R. Part 141 (which is incorporated by reference in Rule 62-550.822, F.A.C.) and for the purpose of determining compliance with the TTHM and HAA5 MCLs under Subpart V of 40 C.F.R. Part 141 (which is incorporated by reference in Rule 62-550.822, F.A.C.). (40 C.F.R. §141.2 (July 1, 2011))

~~(38)~~~~(33)~~ “EFFECTIVE CORROSION INHIBITOR RESIDUAL,” for the purpose of 40 C.F.R. Part 141, Ssubpart I (July 1, 2011 ~~1995~~) ~~only~~, which is incorporated by reference in Rule 62-550.800, F.A.C., means a concentration sufficient to form a passivating film on the interior walls of a pipe.

(34) through (38) renumbered (39) through (43) No change.

~~(44)~~ “FINISHED WATER” is water that is introduced into the distribution system of a public water system and is intended for distribution and consumption without further treatment, except treatment as necessary to maintain water quality in the distribution system (e.g., booster disinfection or addition of corrosion control chemicals). (40 C.F.R. §141.2 (July 1, 2011))

~~(45)~~~~(39)~~ “FIRST DRAW SAMPLE” means a one-liter sample of tap water, collected in accordance with 40 C.F.R. part §141.86(b)(2) (July 1, 2011 ~~1995~~), which is incorporated by reference in Rule 62-550.800, F.A.C., that has been standing in plumbing pipes at least 6 hours and is collected without flushing the tap.

(40) renumbered (46) No change.

~~(47)~~ “FLOWING STREAM” is a course of running water flowing in a definite channel. (40 C.F.R. §141.2 (July 1, 2011))

~~(48)~~~~(41)~~ “GAC10” means granular activated carbon filter beds with an empty-bed contact time of 10 minutes based on average daily flow and a carbon reactivation frequency of every 180 days, except that the reactivation frequency for GAC10 used as a best available technology for compliance with 40 C.F.R. Part 141, Subpart V (Stage 2) MCLs under 40 C.F.R. §141.64(b)(2) (which is incorporated in sub-subparagraph 62-550.310(3)(b)2.a., F.A.C.), shall be 120 days. (40 C.F.R. §141.2 (July 1, 2011)) ~~“GAC 10” means granular activated carbon filter beds with an empty-bed contact time of 10 minutes based on average daily flow and a carbon reactivation frequency of every 180 days.~~

~~(49)~~ “GAC20” means granular activated carbon filter beds with an empty-bed contact time of 20 minutes based on average daily flow and a carbon reactivation frequency of every 240 days. (40 C.F.R. §141.2 (July 1, 2011))

(42) through (50) renumbered (50) through (58) No change.

~~(59)~~ “LAKE/RESERVOIR” refers to a natural or man made basin or hollow on the Earth’s surface in which water collects or is stored that may or may not have a current or single direction of flow. (40 C.F.R. §141.2 (July 1, 2011))

~~(60)~~~~(51)~~ “LARGE SYSTEM,” for the purpose of 40 C.F.R. Part 141, Ssubpart I (July 1, 2011 ~~1995~~) ~~only~~, which is incorporated by reference in Rule 62-550.800, F.A.C., means a water system that serves more than 50,000 people.

(52) through (54) renumbered (61) through (63) No change.

~~(64)~~ “LOCATIONAL RUNNING ANNUAL AVERAGE” (LRAA) is the average of sample analytical results for samples taken at a particular monitoring location during the previous four calendar quarters. (40 C.F.R. §141.2 (July 1, 2011))

(55) through (58) renumbered (65) through (68) No change.

~~(69)~~~~(59)~~ “MEDIUM SYSTEM,” for the purpose of 40 C.F.R. Part 141, Ssubpart I (July 1, 2011 ~~1995~~) ~~only~~, which is incorporated by reference in Rule 62-550.800, F.A.C., means a water system that serves greater than 3,300 and less than or equal to 50,000 people.

~~(70)~~ “MEMBRANE FILTRATION” is a pressure or vacuum driven separation process in which particulate matter larger than 1 micrometer is rejected by an engineered barrier, primarily through a size-exclusion mechanism, and which has a measurable removal efficiency of a target organism that can be verified through the application of a direct integrity test. This definition includes the common membrane technologies of microfiltration, ultrafiltration, nanofiltration, and reverse osmosis. (40 C.F.R. §141.2 (July 1, 2011))

(60) through (63) renumbered (71) through (74) No change.

~~(75)~~~~(64)~~ “OPTIMAL CORROSION CONTROL TREATMENT,” for the purpose of 40 C.F.R. Part 141, Ssubpart I (July 1, 2011 ~~1995~~) ~~only~~, which is incorporated by reference in Rule 62-550.800, F.A.C., means the corrosion control treatment that minimizes the lead and copper concentrations at users’ taps while ensuring that the treatment does not cause the system to violate any national primary drinking water regulations.

(65) through (66) renumbered (76) through (77) No change.

~~(78)~~ “PLANT INTAKE” refers to the works or structures at the head of a conduit through which water is diverted from a source (e.g., river or lake) into the treatment plant. (40 C.F.R. §141.2 (July 1, 2011))

(67) through (69) renumbered (79) through (81) No change.

~~(82)~~ “PRESEDIMENTATION” is a preliminary treatment process used to remove gravel, sand and other particulate material from the source water through settling before the water enters the primary clarification and filtration processes in a treatment plant. (40 C.F.R. §141.2 (July 1, 2011))

(70) through (77) renumbered (83) through (90) No change.

~~(91)~~~~(78)~~ “SERVICE CONNECTION,” as used in the definition of “public water system,” does not include a connection to a system that delivers water by a constructed conveyance other than a pipe if: “SERVICE CONNECTION” means as defined in 40 CFR 141.2 (revised as of July 1, 2002).

(a) The water is used exclusively for purposes other than residential uses (consisting of drinking, bathing, and cooking, or other similar uses);

(b) The State determines that alternative water to achieve the equivalent level of public health protection provided by the applicable national primary drinking water regulation is provided for residential or similar uses for drinking and cooking; or

(c) The State determines that the water provided for residential or similar uses for drinking, cooking, and bathing is centrally treated or treated at the point of entry by the provider, a pass-through entity, or the user to achieve the equivalent level of protection provided by the applicable national primary drinking water regulations. (40 C.F.R. §141.2 (July 1, 2011))

(92)(79) “SERVICE LINE SAMPLE” means a one-liter sample of water collected in accordance with 40 C.F.R. part §141.86(b)(3); (July 1, 2011 1995), which is incorporated by reference in Rule 62-550.800, F.A.C., that has been standing for at least 6 hours in a service line.

(80) through (81) renumbered (93) through (94) No change.

(95)(82) “SMALL SYSTEM,” for the purpose of 40 C.F.R. Part 141, Subpart I (July 1, 2011 1995) only, which is incorporated by reference in Rule 62-550.800, F.A.C., means a water system that serves 3,300 people or less.

(96)(83) “SOURCE WATER SAMPLE” for the purpose of 40 C.F.R. Part 141, Subpart I (July 1, 2011 1995) only, which is incorporated by reference in Rule 62-550.800, F.A.C., means a sample that is collected at an entry point to the distribution system and is representative of a source of supply after treatment.

(84) through (98) renumbered (97) through (111) No change.

(112) “TWO-STAGE LIME SOFTENING” is a process in which chemical addition and hardness precipitation occur in each of two distinct unit clarification processes in series prior to filtration. (40 C.F.R. §141.2 (July 1, 2011))

(113)(99) “UNCOVERED FINISHED WATER STORAGE FACILITY” is a tank, reservoir, or other facility used to store water that will undergo no further treatment to reduce microbial pathogens except residual disinfection and is directly open to the atmosphere. (40 C.F.R. §141.2 (July 1, 2011)) “UNCOVERED FINISHED WATER STORAGE FACILITY” means a tank, reservoir, or other facility used to store water that will undergo no further treatment except residual disinfection and is open to the atmosphere.

(100) through (104) renumbered (114) through (118) No change.

(119)(105) “WHOLESALE SYSTEM” is a public water system that treats source water as necessary to produce finished water and then delivers some or all of that finished water to another public water system. Delivery may be through a direct connection or through the distribution system of one or more consecutive systems. (40 C.F.R. §141.2 (July 1, 2011)) “WHOLESALE SYSTEM” means a public water system that sells or otherwise delivers finished water to another public

water system at least 60 days per year. A wholesale system that delivers water to a community water system is considered a community water system.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.853, 403.854, 403.8615, 403.862 FS. History—New 11-9-77, Amended 1-13-81, 11-19-87, Formerly 17-22.103, Amended 1-18-89, 5-7-90, 1-3-91, 1-1-93, Formerly 17-550.200, Amended 9-7-94, 12-9-96, 9-22-99, 8-1-00, 11-27-01, 4-3-03, 11-25-03, 10-14-04, 11-28-04, 1-17-05, _____.

62-550.310 Primary Drinking Water Standards: Maximum Contaminant Levels and Maximum Residual Disinfectant Levels.

(These standards may also apply as ground water quality standards as referenced in Chapter 62-520, F.A.C.)

(1) No change.

(2) DISINFECTANT RESIDUALS. — Except for the chlorine dioxide maximum residual disinfectant level, which applies to all public water systems using chlorine dioxide as a disinfectant or oxidant, this subsection applies only to community or non-transient non-community water systems adding a chemical disinfectant to the water in any part of the drinking water treatment process. Maximum residual disinfectant levels (MRDLs) are listed in Table 2, which is incorporated herein and appears at the end of this chapter.

(a) Maximum residual disinfectant levels (MRDLs) are as follows:

<u>DISINFECTANT RESIDUAL</u>	<u>MRDL</u>
<u>Chlorine</u>	<u>4.0 mg/L (as Cl₂)</u>
<u>Chloramines</u>	<u>4.0 mg/L (as Cl₂)</u>
<u>Chlorine Dioxide</u>	<u>0.8 mg/L (as ClO₂)</u>

(40 C.F.R. § 141.65(a) (July 1, 2011))

(b) Compliance dates – community water systems and non-transient non-community water systems. (40 C.F.R. §141.65(b) (July 1, 2011))

1. Subpart H systems serving 10,000 or more persons must comply with paragraph (a) above beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water must comply with paragraph (a) above beginning January 1, 2004. (40 C.F.R. §141.65(b)(1) (July 1, 2011))

2. If you are a consecutive system that does not add a disinfectant but delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light, you must comply with analytical and monitoring requirements for chlorine and chloramines in 40 C.F.R. §141.131(c) and §141.132(c)(1) (which are incorporated by reference in subsection 62-550.550(1), F.A.C., and Rule 62-550.821, F.A.C.) and the compliance requirements in 40 C.F.R. §141.133(c)(1) (which is incorporated by reference in Rule 62-550.821, F.A.C.) beginning April 1, 2009, and report

monitoring results under 40 C.F.R. §141.134(c) (which is incorporated by reference in Rule 62-550.821, F.A.C.). (40 C.F.R. §141.624 (July 1, 2011))

(c) Compliance dates – transient non-community water systems. Subpart H systems serving 10,000 or more persons and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and using chlorine dioxide as a disinfectant or oxidant and systems using only ground water not under the direct influence of surface water and using chlorine dioxide as a disinfectant or oxidant must comply with the chlorine dioxide MRDL beginning January 1, 2004. (40 C.F.R. §141.65(b)(2) (July 1, 2011))

(3) ~~DISINFECTION BYPRODUCTS. —This subsection applies to all community or non-transient non-community water systems adding a chemical disinfectant to the water in any part of the drinking water treatment process. The Stage 1 maximum contaminant levels (MCLs) for disinfection byproducts are listed in Table 3, which is incorporated herein and appears at the end of this chapter.~~

(a) Bromate and chlorite. (40 C.F.R. §141.64(a) (July 1, 2011))

1. The maximum contaminant levels (MCLs) for bromate and chlorite are as follows:

DISINFECTION BYPRODUCT	MCL
Bromate	0.010 mg/L
Chlorite	1.0 mg/L

(40 C.F.R. §141.64(a) (July 1, 2011))

2. Compliance dates for community water systems and non-transient non-community water systems. Subpart H systems serving 10,000 or more persons must comply with subparagraph 1. above beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water must comply with subparagraph 1. above beginning January 1, 2004. (40 C.F.R. §141.64(a)(1) (July 1, 2011))

(b) Total trihalomethanes (TTHM) and haloacetic acids (five) (HAA5). (40 C.F.R. §141.64(b) (July 1, 2011))

1. Subpart L (Stage 1) – running annual average compliance. (40 C.F.R. §141.64(b)(1) (July 1, 2011))

a. Compliance dates for community water systems and non-transient non-community water systems. Subpart H systems serving 10,000 or more persons must comply with this sub-subparagraph beginning January 1, 2002. Subpart H systems serving fewer than 10,000 persons and systems using only ground water not under the direct influence of surface water must comply with this sub-subparagraph beginning January 1, 2004. All systems must comply with these maximum contaminant levels (MCLs) as a running annual

average until the date specified for 40 C.F.R. Part 141, Subpart V (Stage 2), compliance in 40 C.F.R. §141.620(c) (which is incorporated by reference in Rule 62-550.822, F.A.C.).

DISINFECTION BYPRODUCT	MCL
TTHM	0.080 mg/L
HAA5	0.060 mg/L

(40 C.F.R. §141.64(b)(1)(i) (July 1, 2011))

b. The regulations in 40 C.F.R. Part 141, Subpart L (as incorporated in Rule 62-550.821, F.A.C.) establish criteria under which community water systems and non-transient non-community water systems that add a chemical disinfectant to the water in any part of the drinking water treatment process must modify their practices to meet MCLs in 40 C.F.R. §141.64 (which is incorporated in subsection 62-550.310(3), F.A.C.). (40 C.F.R. §141.130(a)(1) (July 1, 2011))

2. Subpart V (Stage 2) – locational running annual average (LRAA) compliance. (40 C.F.R. §141.64(b)(2) (July 1, 2011))

a. Compliance dates for community water systems and non-community water systems. The subpart V maximum contaminant levels (MCLs) for TTHM and HAA5 must be complied with as an LRAA at each monitoring location beginning the date specified for 40 C.F.R. part 141, subpart V, compliance in 40 C.F.R. §141.620(c) (which is incorporated by reference in Rule 62-550.822, F.A.C.).

DISINFECTION BYPRODUCT	MCL
TTHM	0.080 mg/L
HAA5	0.060 mg/L

(40 C.F.R. §141.64(b)(2)(i) (July 1, 2011))

b. The regulations in 40 C.F.R. Part 141, Subpart V (which is incorporated by reference in Rule 62-550.822, F.A.C.), establish monitoring and other requirements for achieving compliance with maximum contaminant levels based on LRAAs for TTHM and HAA5. You are subject to these requirements if your system is a community water system or a non-transient non-community water system that uses a primary or residual disinfectant other than ultraviolet light or delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light. (40 C.F.R. §141.620(a) and (b) (July 1, 2011))

(4) through (6) No change.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.852(12), 403.853(1) FS. History—New 11-19-87, Formerly 17-22.210, Amended 1-18-89, 5-7-90, 1-3-91, 1-1-93, 1-26-93, 7-4-93, Formerly 17-550.310, Amended 9-7-94, 8-1-00, 11-27-01, 4-14-03, 4-25-03, 11-28-04, _____.

62-550.340 Small System Compliance Technologies.

(1) The United States Environmental Protection Agency (US EPA) has published a list of “Small System Compliance Technologies.” These technologies are suggested by US EPA as being affordable methods that systems serving from 25 to 10,000 persons should consider when searching for ways to deal with certain contaminants.

(a) A list of small systems compliance technologies for radionuclides and limitations on their use are contained in the July 1, ~~2011, 2003~~ edition of 40 C.F.R. ~~CFR~~ §141.66(h), which is adopted and incorporated herein by reference.

(b) A list of small system compliance technologies for arsenic and limitations on their use are contained in the July 1, ~~2011, 2003~~ edition of 40 C.F.R. ~~CFR~~ §141.62(d), which is adopted and incorporated herein by reference.

(2) No change.

Rulemaking Specific Authority ~~403.8055~~, 403.861(9) FS. Law Implemented 403.852(12), 403.853(1) FS. History–New 4-14-03, Amended 11-28-04,_____.

62-550.500 General Monitoring and Compliance Measurement Requirements for Contaminants and Disinfectant Residuals.

These general requirements shall apply unless other monitoring or compliance measurement requirements are specified in Rules 62-550.511 through 62-550.540, F.A.C., ~~or~~ Rule 62-550.821, F.A.C. or Rule 62-550.822, F.A.C.

(1) through (11) No change.

Rulemaking Specific Authority ~~403.8055~~, 403.861(9) FS. Law Implemented 403.853(1), (3), 403.859(1), 403.861(16), (17) FS. History–New 11-19-87, Formerly 17-22.300, Amended 1-18-89, 5-7-90, 1-1-93, 1-26-93, 7-4-93, Formerly 17-550.500, Amended 9-7-94, 8-1-00, 11-27-01, 4-14-03, 11-28-04,_____.

62-550.514 Disinfectant Residuals and Disinfection Byproducts Monitoring Requirements.

(1) DISINFECTANT RESIDUALS.

(a) No change.

(b) If you are a consecutive system that does not add a disinfectant but delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light, you must comply with monitoring requirements for chlorine and chloramines in 40 C.F.R. §141.132(c)(1) (which is incorporated by reference in Rule 62-550.821, F.A.C.) beginning April 1, 2009. (40 C.F.R. §141.624 (July 1, 2011))

~~(c)~~(b) No change.

(2) DISINFECTION BYPRODUCTS.

(a) No change.

(b) The regulations in 40 C.F.R. Part 141, Subpart V (which is incorporated by reference in Rule 62-550.822, F.A.C.) establish monitoring requirements for achieving compliance with maximum contaminant levels based on locational running annual averages for total trihalomethanes and haloacetic acids (five). You are subject to these requirements if your system is a community water system or a non-transient non-community water system that uses a primary or residual disinfectant other than ultraviolet light or delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light. (40 C.F.R. §141.620(a) and (b) (July 1, 2011))

Rulemaking Specific Authority ~~403.8055~~, 403.853(3), 403.861(9) FS. Law Implemented 403.853(1), (3), (7), 403.861(16), (17) FS. History–New 1-1-93, Amended 7-4-93, Formerly 17-550.514, Amended 2-7-95, 11-27-01, 11-28-04,_____.

62-550.540 Monitoring of Consecutive Public Water Systems.

(1) No change.

(2) If you are a consecutive system that does not add a disinfectant but delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light, you must comply with monitoring requirements for chlorine and chloramines in 40 C.F.R. §141.132(c)(1) (which is incorporated by reference in Rule 62-550.821, F.A.C.) beginning April 1, 2009. (40 C.F.R. §141.624 (July 1, 2011))

(3) The regulations in 40 C.F.R. Part 141, Subpart V (which is incorporated by reference in Rule 62-550.822, F.A.C.), establish monitoring requirements for achieving compliance with maximum contaminant levels based on locational running annual averages for total trihalomethanes and haloacetic acids (five). You are subject to these requirements if your system is a community water system or a non-transient non-community water system that uses a primary or residual disinfectant other than ultraviolet light or delivers water that has been treated with a primary or residual disinfectant other than ultraviolet light. (40 C.F.R. §141.620(a) and (b) (July 1, 2011))

(2) through (5) renumbered (4) through (7) No change.

Rulemaking Specific Authority ~~403.8055~~, 403.861(9) FS. Law Implemented 403.853(1), (3), (7), 403.861(16), (17) FS. History–New 11-19-87, Formerly 17-22.340, Amended 1-18-89, 1-1-93, Formerly 17-550.540, Amended 11-27-01, 10-14-04, 11-28-04,_____.

62-550.550 Certified Laboratories and Analytical Methods for Public Water Systems.

(1) For the purpose of determining compliance with standards and monitoring requirements other than those mentioned in subsection (2) below, samples shall be considered acceptable only if they have been analyzed by a laboratory certified in drinking water by the Department of Health to perform such drinking water analyses with the exception that measurements for alkalinity, bromide, calcium, chlorite at entrances to distribution systems, orthophosphate, silica, specific ultraviolet absorbance, or total organic carbon may be performed by operators licensed under Chapter 62-602, F.A.C., or by persons under the direct supervision of a licensed operator, and measurements for conductivity, disinfectant residual, pH, temperature, or turbidity may be performed by operators licensed under Chapter 62-602, F.A.C., by persons under the direct supervision of a licensed operator, or by any authorized representative of the Department. Approved analytical methods shall be used and are contained in the July 1, ~~2011-2007~~, edition of 40 C.F.R. §§ 141.21, 141.23, 141.24, 141.25, 141.27, 141.74, 141.89, 141.131, ~~141.402~~, 141.704.

and 143.4 and Appendix A to 40 C.F.R. Part 141, Subpart C, and in the *Federal Register*, Vol. 72, No. 47, March 12, 2007, pp. 11199—11249, Vol. 69, No. 30, February 13, 2004, pp. 7156-7161, and Vol. 69, No. 164, August 25, 2004, pp. 52177—52182, all of which are incorporated herein by reference. Use of an alternative analytical technique requires written permission from the Department and the U.S. Environmental Protection Agency. The use of DPD colorimetric test kits to measure residual chlorine, chloramine, or chlorine dioxide concentration is approved.

(2) through (4) No change.

Rulemaking Specific Authority 403.8055, 403.853(3), 403.861(9) FS. Law Implemented 403.853(1), (3), 403.861(16), (17) FS. History—New 11-19-87, Formerly 17-22-350, Amended 1-18-89, 5-7-90, 1-3-91, 1-1-93, 1-26-93, Formerly 17-550.550, Amended 9-7-94, 2-7-95, 8-1-00, 11-27-01, 4-14-03, 11-28-04, 9-18-07.

62-550.720 Recordkeeping.

Suppliers of water shall retain on their premises, or at a convenient location near their premises, the following records:

(1) Records of microbiological analyses and turbidity analyses made pursuant to the chapter shall be kept for not less than 5 years (40 C.F.R. §141.33(a) (July 1, 2011)). Records of bacteriological analyses made under this chapter shall be kept for not less than 5 years. Records of other physical, chemical, or radiological analyses made under any portion of this chapter other than Rule 62-550.800, F.A.C., (including records of chemical analyses to determine compliance with maximum residual disinfectant levels) shall be kept for not less than 10 years. Actual laboratory reports may be kept, or data may be transferred to tabular summaries, provided that the information required in Rule 62-550.730, F.A.C., is included.

(2) through (6) No change.

(7) Copies of monitoring plans developed pursuant to this chapter shall be kept for the same period of time as the records of analyses taken under the plan are required to be kept under subsection (1) of this section, except as specified elsewhere in this chapter. (40 C.F.R. §141.33(f) (July 1, 2011))

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.861(16) FS. History—New 11-19-87, Formerly 17-22.820, Amended 1-18-89, 1-1-93, 7-4-93, Formerly 17-550.720, Amended 11-27-01, 11-28-04.

62-550.730 Reporting Requirements for Public Water Systems.

Suppliers of water and DOH-certified laboratories shall report as follows:

(1) through (2) No change.

(3) Additional Reporting Formats for Disinfectant Residuals, Disinfection Byproducts, and Disinfection Byproduct Precursors and Enhanced Coagulation or Enhanced Softening. See subsection 62-550.821(12), F.A.C., and Rule 62-550.822, F.A.C.

(4) Reporting Formats for the Control of Lead and Copper. Analytical results for samples taken pursuant to this chapter shall be reported in a format that includes all of the required information described below. If laboratory analysis reports are submitted without all of the required information as set forth below, the submittal will be rejected.

(a) Lead and Copper Tap Samples. The information submitted by the certified laboratory for the analysis of lead and copper tap samples shall include, at a minimum:

1. through 10. No change.

11. Specify whether the sample is part of the minimum number of samples selected under ~~the July 1, 2000, edition of 40 C.F.R. CFR §141.86(c) (July 1, 2011), which is incorporated by reference in Rule 62-550.800, F.A.C.~~ or is an ADDITIONAL sample taken under ~~the July 1, 2000, edition of 40 C.F.R. CFR §141.86(e) (July 1, 2011), which is incorporated by reference in Rule 62-550.800, F.A.C.~~

12. Specify the rank of the sample result for lead or copper and list results in ascending order in accordance with ~~the July 1, 2000, edition of 40 C.F.R. CFR §141.80(c)(3)(i) (July 1, 2011), which is incorporated by reference in Rule 62-550.800, F.A.C.~~

13. through 18. No change.

(b) No change.

(c) Reporting Format for Water Quality Parameters. The results submitted by systems for the analysis of water quality parameters required under ~~the July 1, 2000, edition of 40 C.F.R. CFR §141.87 (July 1, 2011), which is incorporated by reference in Rule 62-550.800, F.A.C.~~, shall be reported in the following format:

1. Format Header.

a. through h. No change.

i. The number of sampling sites required under ~~the July 1, 2000, edition of 40 C.F.R. CFR §141.87(a)(2) (July 1, 2011), which is incorporated by reference in Rule 62-550.800, F.A.C.~~

j. No change.

2. Format Table.

a. through b. No change.

c. The measured value of the water quality parameters and dosage rates required to be analyzed under ~~the July 1, 2000, edition of 40 C.F.R. CFR §141.87 (July 1, 2011), which is incorporated by reference in Rule 62-550.800, F.A.C.~~

Rulemaking Authority 403.8055, 403.853(3), 403.861(9) FS. Law Implemented 403.852(12), (13), 403.853(3), 403.861(16), (17) FS. History—New 11-19-87, Formerly 17-22.830, Amended 1-18-89, 1-3-91, 1-1-93, Formerly 17-550.730, Amended 9-7-94, 2-7-95, 12-9-96, 8-1-00, 11-27-01, 4-3-03, 11-28-04, 1-17-05.

62-550.800 Control of Lead and Copper.

The requirements contained in the July 1, ~~2011~~ 2008, edition of 40 C.F.R. Part ~~CFR~~ 141, Subpart I (Sections 80 through 91), are adopted and incorporated herein by reference and are

enforceable under this rule. The following are clarifications to the requirements in 40 C.F.R. Part ~~CFR~~ 141, Subpart I (~~S~~sections 80 through 91).

(1) through (4) No change.

Rulemaking Authority 403.8055, 403.861(9) FS. Law Implemented 403.853 FS. History—New 12-9-96, Amended 8-1-00, 11-27-01, 10-1-10,_____.

62-550.817 Additional Requirements for Subpart H Water Systems.

The requirements for subpart H systems in this section apply to all subpart H systems except where noted in this section and are in addition to the requirements applicable to all public water systems found elsewhere in Chapters 62-550, 62-555, and 62-560. Subparagraph 62-550.817(1)(b)2., and paragraphs ~~62-550.817(11)(e)~~ ~~62-550.817(10)(e)~~ and ~~62-550.817(13)(b)~~ ~~62-550.817(12)(b)~~, F.A.C., apply only to consecutive systems that receive any finished water originating from a subpart H system. In addition to the requirements of this section, the standards and criteria contained in the regulations adopted in subsections 62-550.817(1), (2), ~~and~~ (3), ~~and~~ (4), F.A.C., are adopted by reference and enforceable under these rules. A subpart H system is considered to be in compliance with the requirements of this section if it meets all the requirements set forth in this section. A subpart H system is considered to be out of compliance with the requirements of this section if it does not meet all the requirements set forth in this section.

(1) Scope of Requirements.

(a) These rules are intended to implement the National Primary Drinking Water Regulations related to the disinfection and filtration of surface water and ground water under the direct influence of surface water, and the recycle of fluids referenced in 40 C.F.R. CFR §141.76(a) (July 1, 2011 2002), which is incorporated by reference in subparagraph 62-550.817(1)(a)2., F.A.C., by subpart H systems that employ conventional filtration or direct filtration treatment.

1. No change.

2. Recycle provisions. In addition to the requirements of this chapter, the standards and criteria contained in the July 1, 2011 2002, edition of 40 C.F.R. CFR §141.76 are adopted by reference and enforceable under this rule.

(b) No change.

(2) Filtration and Disinfection. In addition to the requirements of this chapter, the standards and criteria contained in the July 1, 2011 2002, edition of 40 C.F.R. CFR §§ 141.13, 141.22, 141.70(a), ~~141.70(b)(2)~~ ~~(b)(2)~~, ~~141.70(c)~~ ~~(c)~~, ~~141.70(d)~~ ~~(d)~~, ~~141.70(e)~~ ~~(e)~~, 141.71(b)(6), 141.72, 141.72(a), 141.72(b)(1), ~~141.72(b)(2)~~ ~~(2)~~, ~~141.72(b)(3)(i)~~ ~~(3)(i)~~, 141.73, 141.74, and 141.75 are adopted by reference and enforceable under this rule. However, 40 C.F.R. CFR §141.72(b)(3)(ii) is not adopted.

(a) through (b) No change.

(3) Enhanced filtration and disinfection requirements.

(a) For subpart H systems serving 10,000 or more people.

1. In addition to the requirements of this chapter, the requirements contained in the July 1, 2011 edition of the Code of Federal Regulations, Title 40, Part 141, Subpart P, Sections 170 and 172 through 175, revised as of July 1, 2002, are adopted by reference and enforceable under this rule. 40 C.F.R. CFR §141.171 is not adopted under this rule.

2. No change.

(b) For subpart H systems serving fewer than 10,000 people. In addition to the requirements of this chapter, the requirements contained in the July 1, 2011, edition of the Code of Federal Regulations, Title 40, Part 141, Subpart T, Sections 141.500 through 141.501 501, 141.503 503, 141.510 510 through 141.511 511, 141.530 530, 141.532 532 through 141.536 536, 141.540 540 through 141.544 544, 141.550 550 through 141.553 553, 141.560 560 through 141.564 564, and 141.570 570 through 141.571 571, revised as of July 1, 2004, are adopted by reference and enforceable under this rule. 40 C.F.R. CFR §§ 141.502, ~~141.520 520~~ through ~~141.522 522~~ and ~~141.531 531~~, and 40 C.F.R. CFR §142.16(j)(2)(i) are not adopted under this rule. ~~The requirements adopted in this paragraph contained in the Code of Federal Regulations, Title 40, Part 141, Subpart T shall be effective starting January 1, 2005, except where otherwise noted.~~

(4) Enhanced Treatment for *Cryptosporidium* (Long Term 2 Enhanced Surface Water Treatment Rule). In addition to the requirements of this chapter, the requirements contained in the July 1, 2011, edition of the Code of Federal Regulations, Title 40, Part 141, Subpart W, Sections 141.700 through 141.723 are adopted by reference and enforceable under this rule, except the following regulations are not adopted under this rule: 40 C.F.R. §§ 141.700(b)(3), 141.701(a)(2), 141.701(a)(5), 141.701(a)(6), 141.701(d)(2), 141.703(b)(2), 141.712, 141.713(b), 141.713(e), 141.715(a)(2), 141.720(d)(2)(iii), and 141.721(d).

(4) through (8) renumbered (5) through (9) No change.

~~(10)(9)~~ Approving Alternative Filtration Technologies Pursuant to 40 C.F.R. CFR §§ 142.16(g)(2)(iv) and 142.16(j)(2)(iv) (July 1, 2011 2002).

(a) through (c) No change.

(10) through (12) renumbered (11) through (13) No change.

~~(14)(13)~~ Public notification requirements for the Surface Water Treatment Rule (SWTR), Interim Enhanced Surface Water Treatment Rule (IESWTR), of Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR), and the Long Term 2 Enhanced Surface Water Treatment Rule (LT2ESWTR) requirements. In addition to the requirements in Part IV of Chapter 62-560, F.A.C., the following public notification requirements ~~contained in the revisions to Table 1 to 40 CFR 141.202, 40 CFR 141.203, Appendix A to 40 CFR 141 Subpart~~

~~Q, and Appendix B to 40 CFR 141 Subpart Q on pages 1836-1838 of the January 14, 2002, Federal Register~~ are adopted by reference and enforceable under this rule:-

(a) In the July 1, 2011, edition of 40 C.F.R. §141.202, the Tier 1 public notice requirements pertaining to violation of the SWTR, IESWTR, or LT1ESWTR treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit, where the primacy agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the system learns of the violation.

(b) In the July 1, 2011, edition of 40 C.F.R. §141.203(b)(3), the consultation requirements pertaining to violation of the SWTR, IESWTR, or LT1ESWTR treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit.

(c) The July 1, 2011, edition of 40 C.F.R. §141.211.

~~(15)(14)~~ No change.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.852(12), 403.853(1), (3) FS. History—New 4-3-03, Amended 5-28-03, 11-25-03, 10-14-04, 1-17-05.

62-550.821 Disinfectant Residuals, Disinfection Byproducts (Stage 1), and Disinfection Byproduct Precursors. The requirements contained in the July 1, 2011 2003, edition of 40 C.F.R. Part CFR 141, Ssubpart L (Ssections 141.130 through 141.135), and the revisions to 40 CFR 141, subpart L, published on pages 3770 through 3780 of the January 16, 2001, Federal Register are adopted and incorporated herein by reference and are enforceable under this rule. The following are clarifications and additions to the requirements in 40 C.F.R. Part CFR 141, Ssubpart L.

(1) through (17) No change.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.0877, 403.852(12), 403.853(1), (3), (7), 403.861(16), (17) FS. History—New 11-27-01, Amended 11-28-04, 1-17-05.

62-550.822 Initial Distribution System Evaluations and Stage 2 Disinfection Byproducts Requirements.

The requirements contained in the July 1, 2011, edition of 40 C.F.R. Part 141, Subpart U (Sections 141.600 through 141.605), and 40 C.F.R. Part 141, Subpart V (Sections 141.620 through 141.629) are adopted and incorporated herein by reference and are enforceable under this rule, except 40 C.F.R. §141.623(d) is not adopted or incorporated in this rule.

Rulemaking Authority 403.8055, 403.861(9) FS. Law Implemented 403.852(12), 403.853(1), (3), (7), 403.861(16), (17) FS. History—New

62-550.824 Consumer Confidence Reports.

These rules are intended to implement the Primary and Secondary Drinking Water Regulations that require community water systems to prepare and provide to their customers annual

consumer confidence reports (CCRs) on the quality of the water delivered by the systems. In addition to the requirements of this rule, the requirements contained in the following regulations are adopted and incorporated herein by reference and are enforceable under this rule: the July 1, 2011 2002, edition of 40 C.F.R. Part CFR 141, Subpart O, Ssections 151 through 155, except for 40 C.F.R. §141.153(h)(6)(ii), and Appendix A to 40 C.F.R. Part CFR 141, Subpart O; revisions to Subpart O on pages 70855 through 70857 of the November 27, 2002, Federal Register; and revisions to Subpart O on pages 73011-74047 of the December 9, 2002, Federal Register. 40 C.F.R. §141.153(h)(6)(ii) is not adopted or incorporated in this rule. Additional information may be obtained from the USEPA's guidance manuals *Preparing Your Drinking Water Consumer Confidence Report - Revised Guidance for Water Suppliers, 2nd Revision: EPA 816-R-09-011 EPA 816-R-01-003, April 2010 January 2001,* and *Revised State Implementation Guidance for the Consumer Confidence Report (CCR) Rule, Appendix F, EPA 816-R-09-010 EPA 816-R-01-002, April 2010 January 2001,* which are incorporated herein by reference.

(1) through (3) No change.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.853(3), (4), 403.861(9) FS. History—New 9-22-99, Amended 8-1-00, 11-27-01, 4-10-03.

62-550.828 Ground Water Rule.

(1) The requirements contained in the July 1, 2011, edition of 40 C.F.R. Part 141, Subpart S (Sections 141.400 through 141.405), are adopted and incorporated herein by reference and are enforceable under this rule, except the following regulations are not adopted or incorporated in this rule: 40 C.F.R. §§ 141.400(c)(5), 141.402(e)(2), 141.402(f), and 141.403(a)(7)(iii).

(2) In addition to the public notification requirements in Part IV of Chapter 62-560, F.A.C., the following public notification requirements are adopted and incorporated herein by reference and are enforceable under this rule:

(a) In the July 1, 2011, edition of 40 C.F.R. §141.202, the Tier 1 public notice requirements pertaining to detection of E. coli, enterococci, or coliphage in source water samples required under 40 C.F.R. §§ 141.402(a) and 141.402(b) (July 1, 2011), which are incorporated by reference in subsection 62-550.828(1), F.A.C.

(b) In the July 1, 2011, edition of 40 C.F.R. §141.203, the Tier 2 public notice requirements pertaining to failure to take corrective action or failure to maintain at least 4-log treatment of viruses before or at the first customer under 40 C.F.R. §141.403(a) (July 1, 2011), which is incorporated by reference in subsection 62-550.828(1), F.A.C.

Rulemaking Authority 403.8055, 403.861(9) FS. Law Implemented 403.852(12), 403.853(1), (3), (4), (7), 403.861(16), (17) FS. History—New.

**TABLE 3
STAGE 1 MAXIMUM CONTAMINANT LEVELS FOR
DISINFECTION BYPRODUCTS**

FEDERAL CONTAMINANT ID NUMBER	CONTAMINANT	MCL (mg/L)
2950	Total Trihalomethanes (TTHM)	0.080
2456	Haloacetic Acids (Five) (HAA5)	0.060
1011	Bromate	0.010
1009	Chlorite	1.0

Abbreviations Used: MCL = maximum contaminant level; mg/L = milligrams per liter.

TABLE 7: MONITORING FREQUENCIES AND LOCATIONS ([insert the effective date of these rule amendments])

See 40 C.F.R. Part 141, Subpart V, which is incorporated by reference in Rule 62-550.822, F.A.C., for Stage 2 disinfection byproducts monitoring frequencies and locations.

No change to the table, abbreviations used, or NOTES.

TABLE 8: INITIAL OR ROUTINE MONITORING SCHEDULE ([insert the effective date of these rule amendments])

REFERENCE SUBSECTION RULE 62-550.500(3), F.A.C.

Under initial or routine monitoring, public water systems shall take required samples during the time period specified below. See 40 C.F.R. Part 141, Subpart V, which is incorporated by reference in Rule 62-550.822, F.A.C., for the Stage 2 disinfection byproducts routine monitoring schedule.

No change to the table.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-550.400	General Requirements for Unregulated Contaminants
62-550.590	Public Water System Monitoring Information and Monitoring Schedule

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-550.400 relates to community and non-transient, non-community public water systems and the requirement that monitoring be conducted for unregulated contaminants. The US EPA administers the rules related to unregulated contaminants, and directs systems on when and how to sample for these constituents; therefore, this rule is unnecessary. Rule 62-550.590 notes that monitoring information and schedules for monitoring are included in Tables 7 and 8 within the Chapter. These tables are referenced

elsewhere in the Chapter; therefore, this rule contains information that is duplicative and unnecessary. No other rules incorporate these rules, and these rules do not have an effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of these rules are a result of the Department’s review pursuant to EO 11-01 and will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.853 (3), 403.861(9), (16), (17) FS.

LAW IMPLEMENTED: 403.853 (1), (3), (7), 403.861(16), (17) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.
PLACE: Bob Martinez Building, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jennifer E. C. Porter, P.E. Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8635, Jennifer.porter@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jennifer E. C. Porter, P.E. Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8635, Jennifer.porter@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-550.400 General Requirements for Unregulated Contaminants.

Rulemaking Specific Authority 403.861(9), (16), (17), FS. Law Implemented 403.853(1), (3), (7), FS. History–New 1-18-89, Amended 5-7-90, 1-1-93, Formerly 17-550.400, Amended 8-1-00, Repealed.

62-550.590 Public Water System Monitoring Information and Monitoring Schedule.

Rulemaking Specific Authority 403.853(3), 403.861(9), FS. Law Implemented 403.853(1), (3), 403.861(16), (17), FS. History–1-18-89, Amended 1-3-91, 1-1-93, Formerly 17-550.590, Amended 9-7-94, 8-1-00, 11-27-01, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jennifer E. C. Porter, P.E.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-560.400	Scope of Drinking Water Public Notification Rules
62-560.410	Public Notification – Primary Standards
62-560.430	Public Notification – Secondary Standards
62-560.440	Public Notification for Unregulated Contaminants
62-560.610	Best Available Technology for Achieving Compliance with a Maximum Contaminant Level or Maximum Residual Disinfectant Level

PURPOSE, EFFECT AND SUMMARY: The Department is adopting three U.S. Environmental Protection Agency (USEPA) drinking water rules – the Stage 2 Disinfectants and Disinfection Byproducts Rule, the Long Term 2 Enhanced Surface Water Treatment Rule, and the Ground Water Rule. Also, the Department is updating all of the dated USEPA regulation references in Chapter 62-560, F.A.C.

RULEMAKING AUTHORITY: 403.8055, 403.861(9) FS.

LAW IMPLEMENTED: 403.0877, 403.853, 403.857 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Virginia Harmon, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 3520, Tallahassee, FL 32399-2400, (850)245-8630, virginia.harmon@dep.state.fl.us
SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE

ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BOULEVARD, TALLAHASSEE, FL 32399-3000. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-560.400 Scope of Drinking Water Public Notification Rules.

The following sections set forth the requirements that a supplier of water shall meet when public notification is required. In addition to the requirements described in this part, the following requirements and appendices are ~~Appendix B to Subpart Q of 40 CFR 141, “Standard Health Effects Language for Public Notification,” July 1, 2002, is adopted and incorporated herein by reference; and is available from the Department of Environmental Protection, Drinking Water Section (MS 3520), 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.~~

(1) In the July 1, 2011, edition of 40 C.F.R. §141.202, the Tier 1 public notice requirements pertaining to violation of the Surface Water Treatment Rule (SWTR), Interim Enhanced Surface Water Treatment Rule (IESWTR), or Long Term 1 Enhanced Surface Water Treatment Rule (LT1ESWTR) treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit, where the primacy agency determines after consultation that a Tier 1 notice is required or where consultation does not take place within 24 hours after the system learns of the violation.

(2) In the July 1, 2011, edition of 40 C.F.R. §141.202, the Tier 1 public notice requirements pertaining to detection of E. coli, enterococci, or coliphage in source water samples required under 40 C.F.R. §§ 141.402(a) and 141.202(b) (July 1, 2011), which are incorporated by reference in subsection 62-550.828(1), F.A.C.

(3) In the July 1, 2011, edition of 40 C.F.R. §141.203, the Tier 2 public notice requirements pertaining to failure to take corrective action or failure to maintain at least 4-log treatment of viruses before or at the first customer under 40 C.F.R. §141.403(a) (July 1, 2011), which is incorporated by reference in subsection 62-550.828(1), F.A.C.

(4) In the July 1, 2011, edition of 40 C.F.R. §141.203(b)(3), the consultation requirements pertaining to violation of the SWTR, IESWTR, or LT1ESWTR treatment technique requirement resulting from a single exceedance of the maximum allowable turbidity limit.

(5) The July 1, 2011, edition of 40 C.F.R. §141.211.

(6) The July 1, 2011, edition of Appendix A to Subpart Q of 40 C.F.R. Part 141, “National Primary Drinking Water Regulation Violations and Other Situations Requiring Public Notice.”

(7) The July 1, 2011, edition of Appendix B to Subpart Q of 40 C.F.R. Part 141, “Standard Health Effects Language for Public Notification.”

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.857 FS. History—New 1-18-89, Amended 1-3-91, 1-1-93, Formerly 17-560.400, Amended 9-7-94, 11-27-01, 1-17-05, _____.

62-560.410 Public Notification – Primary Standards.

(1) through (5) No change.

(6) The supplier of water shall include in the notice the applicable language on potential adverse health effects for those contaminants and disinfectants found in Appendix B to Subpart Q of 40 C.F.R. Part ~~CFR~~ 141, “Standard Health Effects Language for Public Notification;” (July 1, 2011 ~~2002~~), which is incorporated by reference in Rule 62-560.400, F.A.C., and found in subparagraph 62-550.824(1)(c)5., F.A.C.

(7) through (11) No change.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.857 FS. History—New 11-19-87, Formerly 17-22.910, Amended 1-18-89, 1-3-91, 1-1-93, 7-4-93, Formerly 17-560.410, Amended 9-7-94, 11-27-01, 1-17-05, _____.

62-560.430 Public Notification – Secondary Standards.

(1) No change.

(2) The notice shall contain the standard language found in the July 1, 2011, edition of 40 C.F.R. CFR §141.208(c), July 1, 2003, adopted herein by reference.

(3) No change.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.857 FS. History—New 11-19-87, Formerly 17-22.915, Amended 1-18-89, 5-7-90, 5-23-91, 1-1-93, 7-4-93, Formerly 17-560.430, Amended 9-7-94, 11-27-01, 1-17-05, _____.

62-560.440 Public Notification for Unregulated Contaminants.

(1) The requirements of this section only apply to public water systems that are required to monitor for unregulated contaminants as prescribed in 40 C.F.R. ~~CFR~~ §141.40; (July 1, 2011 ~~2003~~).

(2) No change.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.857 FS. History—New 1-18-89, Amended 1-1-93, Formerly 17-560.440, Amended 9-7-94, 1-17-05, _____.

62-560.610 Best Available Technology for Achieving Compliance With a Maximum Contaminant Level or Maximum Residual Disinfectant Level.

(1) through (2) No change.

(3) The Administrator of the U.S. Environmental Protection Agency, pursuant to section 1412 of the Federal Safe Drinking Water Act, hereby identifies the following as the best technology, treatment techniques, or other means available

for achieving compliance with the maximum contaminant levels for bromate and chlorite identified in 40 C.F.R. §141.64(a) (which is incorporated in subparagraph 62-550.310(3)(a)1., F.A.C.):

<u>DISINFECTION BYPRODUCT</u>	<u>BEST AVAILABLE TECHNOLOGY</u>
<u>Bromate</u>	<u>Control of ozone treatment process to reduce production of bromate</u>
<u>Chlorite</u>	<u>Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels</u>

(40 C.F.R. §141.64(a)(2) (July 1, 2011)) ~~The technologies listed in Table 2 are Best Available Technology for achieving compliance with the maximum contaminant levels for disinfection byproducts listed in subsection 62-550.310(3), F.A.C.~~

(4) The Administrator of the U.S. Environmental Protection Agency, pursuant to section 1412 of the Federal Safe Drinking Water Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for total trihalomethanes (TTHM) and haloacetic acids (five) (HAA5) identified in 40 C.F.R. §141.64(b)(1)(i) (which is incorporated in sub-subparagraph 62-550.310(3)(b)1.a., F.A.C.):

<u>DISINFECTION BYPRODUCT</u>	<u>BEST AVAILABLE TECHNOLOGY</u>
<u>TTHM and HAA5</u>	<u>Enhanced coagulation or enhanced softening or GAC10, with chlorine as the primary and residual disinfectant</u>

(40 C.F.R. §141.64(b)(1)(ii) (July 1, 2011))

(5) The Administrator of the U.S. Environmental Protection Agency, pursuant to section 1412 of the Federal Safe Drinking Water Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant levels for total trihalomethanes (TTHM) and haloacetic acids (five) (HAA5) identified in 40 C.F.R. §141.64(b)(2)(i) (which is incorporated in sub-subparagraph 62-550.310(3)(b)2.a., F.A.C.) for all systems that disinfect their source water:

<u>DISINFECTION BYPRODUCT</u>	<u>BEST AVAILABLE TECHNOLOGY</u>
<u>TTHM and HAA5</u>	<u>Enhanced coagulation or enhanced softening, plus GAC10; or nanofiltration with a molecular weight cutoff 1000 Daltons; or GAC20</u>

(40 C.F.R. §141.64(b)(2)(ii) (July 1, 2011))

(6) The Administrator of the U.S. Environmental Protection Agency, pursuant to section 1412 of the Federal Safe Drinking Water Act, hereby identifies the following as the best technology, treatment techniques, or other means available for achieving compliance with the maximum contaminant

levels for total trihalomethanes (TTHM) and haloacetic acids (five) (HAA5) identified in 40 C.F.R. §141.64(b)(2)(i) (which is incorporated in sub-subparagraph 62-550.310(3)(b)2.a., F.A.C.) for consecutive systems and applies only to the disinfected water that consecutive systems buy or otherwise receive:

DISINFECTION BYPRODUCT	BEST AVAILABLE TECHNOLOGY
TTHM and HAA5	Systems serving 10,000: Improved distribution system and storage tank management to reduce residence time, plus the use of chloramines for disinfectant residual maintenance Systems serving < 10,000: Improved distribution system and storage tank management to reduce residence time

(40 C.F.R. §141.64(b)(2)(iii) (July 1, 2011))

(4) through (6) renumbered (7) through (9) No change.

Rulemaking Specific Authority 403.8055, 403.861(9) FS. Law Implemented 403.0877, 403.853 FS. History—New 11-19-87, Formerly 17-22.510, Amended 1-18-89, 1-3-91, 1-1-93, 1-26-93, Formerly 17-560.610, Amended 11-27-01, 4-14-03,_____.

TABLE 2

BEST AVAILABLE TECHNOLOGY FOR DISINFECTION BYPRODUCTS

CONTAMINANT	BEST AVAILABLE TECHNOLOGY
Total Trihalomethanes	Enhanced coagulation with chlorine as the primary and residual disinfectant. Enhanced softening with chlorine as the primary and residual disinfectant. GAC 10 with chlorine as the primary and residual disinfectant.
Haloacetic acids (five)	Enhanced coagulation with chlorine as the primary and residual disinfectant. Enhanced softening with chlorine as the primary and residual disinfectant. GAC 10 with chlorine as the primary and residual disinfectant.
Bromate	Control of ozone treatment process to reduce production of bromate.
Chlorite	Control of treatment processes to reduce disinfectant demand and control of disinfection treatment processes to reduce disinfectant levels.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: 62-601.400
62-601.830

RULE TITLES: Sampling and Testing Methods
Noncompliance Fees for Failure to Submit Reports

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-601.400, F.A.C., regarding sampling and testing methods for Domestic wastewater facilities, is being repealed because it is no longer necessary as subsection 62-601.400(1) and paragraph 62-601.400(1)(a), F.A.C., are out-of-date and have been superseded by subsection 62-620.610(18), F.A.C. The procedures for approval of alternative techniques discussed in paragraph 62-601.400(1)(b), F.A.C., are addressed in Rule 62-160.330, F.A.C. Subsection 62-601.400(2), F.A.C., is out of date and its topic, approved test procedures, is addressed in Chapters 62-160 and 62-620, F.A.C., and Rule 62-4.246, F.A.C. Subsection 62-601.400(3), F.A.C., is out-of-date and its topic, laboratory certification, is addressed in Rule 62-160.300, F.A.C. Rule 62-601.830, F.A.C., is being repealed because the rule is unnecessary, out-of-date and no longer used. The Department uses Section 403.121, F.S., (commonly called the Environmental Litigation Reform Act) to establish noncompliance fees for failure to submit reports.

OTHER RULES INCORPORATING THIS RULE: Rules 62-699.311(2), 62-110.104(10), and 62-528.425(1)(f), F.A.C., incorporate references to Rule 62-601.400, F.A.C. No other rules incorporate Rule 62-601.830, F.A.C.

EFFECT ON THOSE OTHER RULES: There is no effect on other rules; the out-of-date references to Rule 62-601.400, F.A.C., in Rules 62-699.311(2), 62-110.104(10), and 62-528.425(1)(f), F.A.C., should be updated to include the current rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 the repeal of these unnecessary rules will not cause any adverse impacts or impose regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.051, 403.061, 403.0625, 403.088 FS.

LAW IMPLEMENTED: 403.051, 403.061(13), 403.061(15), 403.088 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.
PLACE: 2600 Blair Stone Road, Room 609, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399, sharon.sawick@dep.state.fl.us, (850)245-8606. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399, sharon.sawick@dep.state.fl.us; (850)245-8606

THE FULL TEXT OF THE PROPOSED RULES IS:

62-601.400 Sampling and Testing Methods.

Rulemaking Specific Authority 403.051, 403.061, 403.0625, 403.088 FS. Law Implemented 403.051, 403.061(13), 403.0625, 403.088 FS. History--New 1-1-75, Amended 6-10-76, Formerly 17-19.04, Amended 9-13-89, Formerly 17-19.040, Amended 1-30-91, 5-31-93, Formerly 17-601.400, Amended 12-24-96, Repealed.

62-601.830 Noncompliance Fees for Failure to Submit Reports.

Rulemaking Specific Authority 403.051, 403.061, 403.088 FS. Law Implemented 403.051, 403.061(15), 403.088, 403.121(3) FS. History--New 1-29-91, Formerly 17-601.830, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark P. Thomasson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-602.880	Consecutive Public Water System Operator Licenses
62-602.900	Forms for the Operator Certification Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome or no longer necessary.

SUMMARY: Repeal Rule 62-602.880, F.A.C., Consecutive Public Water System Operator Licenses, because the license type no longer exists. Effective October 15, 2007, the Department ceased issuing any new, nor renewed any existing,

consecutive public water system operator licenses. All Consecutive System Operator licensees had their licenses converted and reissued as a Level 4 water distribution system operator license.

Repeal Section 62-602.900, F.A.C., Forms for the Operator Certification Program, because the forms are incorporated elsewhere in 62-602, F.A.C., and the section is unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of these rules are a result of the Department's review pursuant to EO 11-01 and will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.869 FS.

LAW IMPLEMENTED: 403.872 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 15, 2011, 1:00 p.m. or soon thereafter

PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Room 611, Tallahassee, Florida 32399-2400

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ronald McCulley, (850)245-8384; Ronald.McCulley@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ronald McCulley, Program Administrator, Operator Certification Program, (850)245-8384, Ronald.McCulley@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-602.880 Consecutive Public Water System Operator Licenses.

Rulemaking Specific Authority 403.869, 403.872 FS. Law Implemented 403.1842, 403.872 FS. History–New 2-6-02, Amended 10-15-07, Repealed.

62-602.900 Forms for the Operator Certification Program.

Rulemaking Specific Authority 403.869 FS. Law Implemented 403.876 FS. History–New 12-30-99, Amended 2-6-02, 10-15-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark P. Thomasson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-604.120 RULE TITLE: Variations from Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-604.120, F.A.C., regarding variations from requirements of Ch. 62-604, is being repealed because the rule is repetitive of Rules 62-4.243 and 62-110.104, F.A.C., and no longer necessary.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing this unnecessary rule will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.087 FS.

LAW IMPLEMENTED: 403.021, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: 2600 Blair Stone Rd., Room 609, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399, sharon.sawick@dep.state.fl.us, (850)245-8606. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399, sharon.sawick@dep.state.fl.us, (850)245-8606

THE FULL TEXT OF THE PROPOSED RULE IS:

62-604.120 Variations from Requirements.

Rulemaking Specific Authority 403.061, 403.087 FS. Law Implemented 403.021, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History–New 11-27-89, Formerly 17-604.120, Amended 12-26-96, 11-6-03, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark P. Thomasson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: 62-610.426 RULE TITLES: Edible Crops
62-610.478 Construction Dust Control
62-610.479 Aesthetic Purposes
62-610.490 Permitting Concept

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-610.426, F.A.C., concerning the irrigation of edible crops with reuse water is being repealed because it is no longer necessary as the rule is repetitive of paragraph 62-610.100(9)(c), F.A.C., and Part III of Chapter 62-610, F.A.C. Rule 62-610.478, F.A.C., regarding the use of

reclaimed water for dust control is being repealed because it is unnecessary since the rule does not provide additional requirements on the use of reclaimed water for construction dust control to those included in paragraph 62-610.100(9)(l), subsection 62-610.450(1), and subparagraph 62-610.810(2)(h)1., F.A.C. Rule 62-610.479, F.A.C., regarding the use of reclaimed water for aesthetic purposes is being repealed because the rule is unnecessary since it does not provide additional requirements on the use of reclaimed water for aesthetic purposes to those included in paragraph 62-610.100(9)(l), subsection 62-610.450(1), subsection 62-610.471(8), and subparagraph 62-610.810(2)(h)1., F.A.C., or Chapter 62-650, F.A.C. Rule 62-610.490, F.A.C., regarding permitting is being repealed because the rule is unnecessary as it is repetitive of paragraph 62-610.320(1)(b) and Rule 62-610.800, F.A.C.; Application Form 2A, Permit for Domestic Wastewater Treatment and Reuse or Disposal Facility, which is adopted by reference in subsection 62-620.910(2), F.A.C.; and the Department's Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., which is adopted by reference in paragraph 62-620.100(3)(p), F.A.C.

OTHER RULES INCORPORATING THIS RULE: Rule 62-610.469, F.A.C., incorporates references to Rule 62-610.479, F.A.C. No other rules incorporate Rules 62-610.426, 62-610.478, or 62-610.490, F.A.C.

EFFECT ON THOSE OTHER RULES: There is no effect on other rules; the reference to 62-610.479, F.A.C., in Rule 62-610.469, F.A.C., should be updated to include the appropriate rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 the repeal of these unnecessary rules will not have an adverse impact or impose regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.051, 403.061, 403.064, 403.087 FS.

LAW IMPLEMENTED: 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: 2600 Blair Stone Rd., Room 609, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399, sharon.sawick@dep.state.fl.us, (850)245-8606. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399, sharon.sawick@dep.state.fl.us, (850)245-8606

THE FULL TEXT OF THE PROPOSED RULES IS:

62-610.426 Edible Crops.

Rulemaking Specific Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.426, Amended 1-9-96, Repealed.

62-610.478 Construction Dust Control.

Rulemaking Specific Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.478, Repealed.

62-610.479 Aesthetic Purposes.

Rulemaking Specific Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.479, Amended 1-9-96, Repealed.

62-610.490 Permitting Concept.

Rulemaking Specific Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.490, Amended 1-9-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Mark P. Thomasson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:
 62-620.400 Permit Application Requirements
 62-620.715 Conditions for All General and
 Generic Permits

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-620.400, F.A.C., regarding permit application requirements is being repealed because the rule is unnecessary as it is informational only and simply references other Department rules and the Department's Guide to Permitting Wastewater Facilities or Activities Under Chapter 62-620, F.A.C., which is adopted by reference in paragraph 62-620.100(3)(p), F.A.C. Rule 62-620.715, regarding conditions for general and generic permits is being repealed because the rule is unnecessary as it is informational only and simply references other Department rules.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 the repeal of these unnecessary rules will not have an adverse impact or impose regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.0885, 403.814 FS.

LAW IMPLEMENTED: 403.051, 403.061, 403.087, 403.088, 403.0885, 403.814 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: 2600 Blair Stone Rd., Room 609, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399; sharon.sawick@dep.state.fl.us; (850)245-8606. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399; sharon.sawick@dep.state.fl.us; (850)245-8606

THE FULL TEXT OF THE PROPOSED RULES IS:

62-620.400 Permit Application Requirements.

Rulemaking Specific Authority 403.061, 403.087 FS. Law Implemented 403.051, 403.061, 403.087, 403.088, 403.0885 FS. History–New 11-29-94, Amended 12-24-96, 10-23-00, Repealed _____.

62-620.715 Conditions for All General and Generic Permits.

Rulemaking Specific Authority 403.087, 403.0885, 403.814 FS. Law Implemented 403.061, 403.087, 403.088, 403.0885, 403.814 FS. History–New 11-29-94, Amended 12-24-96, 10-23-00, 12-23-04, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark P. Thomasson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
 62-625.100 Scope/Intent/Purpose

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-625.100, F.A.C., provides the scope, intent and purpose of Chapter 62-625, F.A.C., regarding the Pretreatment requirements for wastewater facilities. This rule is being repealed because it is unnecessary as the rule is merely informational.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department’s review under Executive Order 11-01 the repeal of this unnecessary rule will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061(7), (31), 403.0885 FS.

LAW IMPLEMENTED: 403.0885 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: 2600 Blair Stone Rd., Room 609, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399, sharon.sawick@dep.state.fl.us, (850)245-8606. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon L. Sawicki, 2600 Blair Stone Rd., Tallahassee, FL 32399, sharon.sawick@dep.state.fl.us, (850)245-8606

THE FULL TEXT OF THE PROPOSED RULE IS:

62-625.100 Scope/Intent/Purpose.

Rulemaking Specific Authority 403.061(7), (31), 403.0885 FS. Law Implemented 403.0885 FS. History–New 11-29-94, Amended 5-10-10, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark P. Thomasson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-660.820	General Permit for Fish Farms
62-660.821	General Permit for Marine Bivalve Facilities

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rules 62-660.820 and 62-660.821, F.A.C., are older rules that create general permits for construction and operation of fish farms and marine bivalves (aquaculture facilities). The Department of Environmental Protection no longer has statutory authority for these general permits. Pursuant to Sections 597.004 and 403.0885(5), F.S., the authority to regulate aquaculture activities has transferred to the Florida Department of Agriculture and Consumers Services (FDACS). These types of facilities are now covered under FDACS Aquaculture Certification.

OTHER RULES INCORPORATING THIS RULE: Rule 62-660.820 is referenced in paragraph 62-344.500(2)(g), F.A.C. Rule 62-660.821 is referenced in Rule 62-344.500, F.A.C.

EFFECT ON THOSE OTHER RULES: Repeal of Rules 62-660.820 and 62-660.821, F.A.C., is not expected to have any effect on Rules 62-344.500 and 62-341.602, F.A.C., because fish farms are now covered under the FDACS Aquaculture Certification. However these citations will need to be corrected.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department’s review under Executive Order 11-01 the repeal of these unnecessary rules will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.051, 403.0877, 403.814 FS.

LAW IMPLEMENTED: 120.55, 403.051, 403.0877, 403.814 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2012, 10:00 a.m.

PLACE: 2600 Blair Stone Rd., Room 609, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Allen Hubbard, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8590, allen.hubbard@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Allen Hubbard, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8590; allen.hubbard@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-660.820 General Permit for Fish Farms.

Rulemaking Specific Authority 403.051, 403.0877, 403.814 FS. Law Implemented 120.55, 403.051, 403.0877, 403.814 FS. History—New 4-30-92, Amended 4-14-94, Formerly 17-660.820, Amended 12-24-96, Repealed.

62-660.821 General Permit for Marine Bivalve Facilities

Rulemaking Specific Authority 403.051, 403.0877, 403.814 FS. Law Implemented 120.55, 403.051, 403.0877, 403.814 FS. History—New 3-8-93, Formerly 17-660.821, Amended 12-24-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Allen Hubbard

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-672.100	General
62-672.620	Assessment of Existing Perimeter Earthen Dikes
62-672.720	Assessment of Existing Phosphogypsum Stacks

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 62-672.100, F.A.C., is being repealed as it only describes the intent of the rule and is informational only and not essential for implementation of the provisions of Chapter 62-672, F.A.C. Rule 62-672.620, F.A.C., requires the owners of phosphogypsum stack systems to assess the existing perimeter earthen dikes of such systems and specifies a deadline for the assessments that has now expired. Since the activities have been completed within the expired timeframe, the rule is no longer applicable and is being repealed. Rule 62-672.720, F.A.C., requires owners of existing phosphogypsum stack to assess the safety and stability of the stack and specifies a deadline for completion of the assessments that has now expired. Since the activities have been completed within the expired timeframe, the rule is no longer applicable and is being repealed.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: No Effect.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 the repeal of these unnecessary rules will not have any adverse impacts or impose regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061(22), 403.4155 FS.

LAW IMPLEMENTED: 403.061(22), 403.4155 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 11, 2012, 9:00 a.m.

PLACE: Bureau of Mining and Minerals Regulation, Conference Room 124A, 2051 East Paul Dirac Drive, Tallahassee, FL 32310

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Vishwas Sathe; 13051 N Telecom Parkway, Temple Terrace, FL 33637, (813)632-7600,

Vishwas.Sathe@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Vishwas Sathe; 13051 N Telecom Parkway, Temple Terrace, FL 33637; (813)632-7600; Vishwas.Sathe@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-672.100 General.

Rulemaking Specific Authority 403.061(22), 403.4155 FS. Law Implemented 403.061(22), 403.4155 FS. History–Revised 12-8-72, Formerly 17-9.01, 17-9.001, 17-672.100, Amended 6-28-99, Repealed.

62-672.620 Assessment of Existing Perimeter Earthen Dikes.

Rulemaking Specific Authority 403.4155 FS. Law Implemented 403.4155 FS. History–New 6-28-99, Amended 7-19-06, Repealed.

62-672.720 Assessment of Existing Phosphogypsum Stacks.

Rulemaking Specific Authority 403.4155 FS. Law Implemented 403.4155 FS. History–New 6-28-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-708.100	Intent
62-708.300	Applicability
62-708.500	Public Disclosure of the Full Cost of Solid Waste Management

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: There is no statutory authority granting rulemaking authority for Rule 62-708.100, F.A.C. in Sections 403.704, F.S., or 403.7049, F.S. Although Rule 62-708.300 and Rule 62-708.500, F.A.C., are authorized by sections 403.704, F.S., and 403.7049, F.S., they are not mandated by statute and there will be no adverse consequences if they are repealed. These rules were created to provide clarification to the regulated public, but they are not necessary.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed changes to rules 62-708.100 and 62-708.300 remove unnecessary and outdated language. There are no costs associated with removing these sections. The proposed changes to rule 62-708.500 will remove an unneeded requirement that applied to local governments. Removing this section will reduce costs for local governments. Thus, the proposed rules are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.704, 403.7049 FS.

LAW IMPLEMENTED: 403.7049 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 10, 2012, 8:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Tedder (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Richard Tedder, Department of Environmental Protection, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8735, or email at Richard.Tedder@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-708.100 Intent.

Rulemaking Specific Authority 403.061, 403.704, 403.7049 FS. Law Implemented 403.7049 FS. History–New 12-19-89, Formerly 17-708.100, Repealed.

62-708.300 Applicability.

Rulemaking Specific Authority 403.061, 403.704, 403.7049 FS. Law Implemented 403.7049 FS. History–New 12-19-89, Amended 11-11-90, Formerly 17-708.300, Repealed.

62-708.500 Public Disclosure of the Full Cost of Solid Waste Management.

Rulemaking Specific Authority 403.061, 403.704, 403.7049 FS. Law Implemented 403.7049 FS. History–New 12-19-89, Formerly 17-708.500, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Tedder
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary,
Florida Department of Environmental Protection
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-710.300
RULE TITLE: Applicability
PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Although Rule 62-710.300, F.A.C., is authorized by Sections 403.061, F.S., 403.704, F.S., and 403.767, F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule was created to provide clarification to the regulated public, but it is not necessary.

OTHER RULES INCORPORATING THIS RULE: None.
EFFECT ON THOSE OTHER RULES: N/A.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed change removes the explanation of the chapter's applicability. There are no costs associated with removing the section. Thus, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.704, 403.767 FS.

LAW IMPLEMENTED: 403.703, 403.75, 403.754, 403.760, 403.767, 403.769 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 19, 2012, 11:00 a.m.
PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Julie Rainey (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Rainey, Department of Environmental Protection, MS 4560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8713, or email at Julie.C.Rainey@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-710.300 Applicability.

Rulemaking Specific Authority 403.061, 403.704, 403.767 FS. Law Implemented 403.703, 403.75, 403.754, 403.760, 403.767, 403.769 FS. History--New 6-9-05, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Julie Rainey.
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary,
Florida Department of Environmental Protection
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-711.700
RULE TITLE: Closing of Waste Tire Sites
PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Although Rule 62-711.700, F.A.C., is authorized by Sections 403.704, F.S., and 403.717, F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule was created to deal with a statutory provision that was eliminated by section 19 of Chapter 2007-184, Laws of Florida.

OTHER RULES INCORPORATING THIS RULE: None.
EFFECT ON THOSE OTHER RULES: N/A.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed change removes an unnecessary requirement. There are no costs associated with removing this section, and in some cases there may be a reduction in costs. Thus, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.704, 403.717 FS.
LAW IMPLEMENTED: 403.717 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 10, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Tedder (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Tedder, Department of Environmental Protection, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8735, or email at Richard.Tedder@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-711.700 Closing of Waste Tire Sites.

Rulemaking Specific Authority 403.704, 403.717 FS. Law Implemented 403.717 FS. History—New 2-19-89, Amended 11-7-90, 2-28-94, Formerly 17-711.700, Amended 3-22-00, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Tedder

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-716.100	Intent
62-716.200	Definitions
62-716.400	Specific Recycling and Education Grant Application and Matching Requirements
62-716.410	Recycling and Education Grant Eligibility Requirements
62-716.420	Recycling and Education Grant Special Requirements
62-716.430	Use of Recycling and Education Grant Funds
62-716.440	Allocation of Recycling and Education Grant Funds
62-716.510	Use of Small County Grant Funds

62-716.610	Allocation of Waste Tire Grant Funds
62-716.620	Use of Waste Tire Grant Funds
62-716.700	Litter Control and Prevention Grants

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: There is no current statutory authority granting rulemaking authority for Rules 62-716.100, 62-716.400, 62-716.410, 62-716.420, 62-716.430, 62-716.440 and 62-716.700, F.A.C., in Sections 403.704, F.S., or 403.7095, F.S. The Recycling and Education Grant Program and the Litter Control and Prevention Grant Program in section 403.7095, F.S., were eliminated by Chapter 2010-143, Laws of Florida. Although Rule 62-716.200, F.A.C., is authorized by section 403.7095, F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule was created to provide clarification to the regulated public, but none of the definitions are essential and several restate section 403.7095, F.S. Although Rules 62-716.510, 62-716.610 and 62-716.620, F.A.C., are authorized by Sections 403.704, F.S., and 403.7095, F.S., they are not mandated by statute and there will be no adverse consequences if they are repealed. The rules were created to provide clarification to the regulated public, are not necessary, and the Small County Grant Program and the Waste Tire Grant Program were significantly amended by Chapter 2010-143, Laws of Florida.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed changes remove outdated requirements and other unnecessary procedures from the rule. There are no costs associated with removing these sections. Thus, the proposed rules are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.704, 403.7095 FS.

LAW IMPLEMENTED: 403.706, 403.7095 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 10, 2012, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Ron Henricks (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ron Henricks, Department of Environmental Protection, MS 4570, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8717 or email at Ron.Henricks@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-716.100 Intent.

Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.706, 403.7095 FS. History–New 5-16-89, Formerly 17-716.100, Amended 11-16-94, Repealed.

62-716.200 Definitions.

Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.706, 403.7095 FS. History–New 5-16-89, Formerly 17-716.200, Amended 11-16-94, Repealed.

62-716.400 Specific Recycling and Education Grant Application and Matching Requirements.

Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.706, 403.7095 FS. History–New 5-16-89, Amended 7-14-91, Formerly 17-716.400, Amended 11-16-94, Repealed.

62-716.410 Recycling and Education Grant Eligibility Requirements.

Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.706, 403.7095 FS. History–New 5-16-89, Amended 7-14-91, Formerly 17-716.410, Amended 11-16-94, Repealed.

62-716.420 Recycling and Education Grant Special Requirements.

Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.706, 403.7095 FS. History–New 5-16-89, Amended 7-14-91, Formerly 17-716.420, Amended 11-16-94, 2-20-96, Repealed.

62-716.430 Use of Recycling and Education Grant Funds.

Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.706, 403.7095 FS. History–New 5-16-89, Formerly 17-716.430, Amended 11-16-94, Repealed.

62-716.440 Allocation of Recycling and Education Grant Funds.

Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.706, 403.7095 FS. History–New 5-16-89, Formerly 17-716.440, Repealed.

62-716.510 Use of Small County Grant Funds.

Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.7095 FS. History–New 5-16-89, Formerly 17-716.510, Repealed.

62-716.610 Allocation of Waste Tire Grant Funds.

Rulemaking Specific Authority 403.704, 403.7095, 403.716 FS. Law Implemented 403.7095, 403.716 FS. History–New 5-16-89, Formerly 17-716.610, Amended 11-16-94, Repealed.

62-716.620 Use of Waste Tire Grant Funds.

Rulemaking Specific Authority 403.704, 403.7095, 403.719 FS. Law Implemented 403.7095, 403.719 FS. History–New 5-16-89, Formerly 17-716.620, Amended 11-16-94, 2-20-96, Repealed.

62-716.700 Litter Control and Prevention Grants.

Rulemaking Specific Authority 403.704 FS. Law Implemented 403.4131 FS. History–New 11-16-94, Amended 2-20-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ron Henricks

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-722.600	Procedures for Registration and Reporting

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: There is no statutory authority granting rulemaking authority for Rule 62-722.600, F.A.C., in Sections 403.704, F.S. or 403.7046, F.S.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed change removes from the rule several procedural requirements for which there is no statutory authority. There are no costs associated with removing this section. Thus, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.704, 403.7046 FS.
 LAW IMPLEMENTED: 403.7046 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):
 DATE AND TIME: January 10, 2012, 11:00 a.m.
 PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ron Henricks (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ron Henricks, Department of Environmental Protection, MS 4570, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8717 or email at Ron.Henricks@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-722.600 Procedures for Registration and Reporting.

Rulemaking Specific Authority 403.061, 403.7046 FS. Law Implemented 403.7046 FS. History--New 1-1-95, Amended 12-17-96, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Ron Henricks
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-730.001	Declaration and Intent
62-730.100	Availability of Information
62-730.231	Newly Regulated Facilities

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.
 SUMMARY: Although Rules 62-730.001, 62-730.100 and 62-730.231, F.A.C., are authorized by Sections 403.704, F.S., 403.721, F.S., 403.722, F.S., 403.8055, F.S., and 403.814, F.S., they are not mandated by statute and there will be no adverse

consequences if they are repealed. The rules were created to provide clarification to the regulated public, but they are not necessary.

OTHER RULES INCORPORATING THIS RULE:
 Rule 62-730.210(2)(p), F.A.C., Definitions
 Rule 62-740.300(1)(a), F.A.C., Management Practice for Recovery Facilities

EFFECT ON THOSE OTHER RULES:
 Rule 62-730.210(2)(p), F.A.C., Definitions. No effect because the Division of Waste Management plans to revise the rule to delete the citation.

Rule 62-740.300(1)(a), F.A.C., Management Practice for Recovery Facilities. No effect because the Division of Waste Management plans to revise the rule to delete the citation.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed changes remove unnecessary and duplicative information. There are no costs associated with removing the sections. Thus, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.704, 403.721, 403.722, 403.8055, 403.814 FS.

LAW IMPLEMENTED: 403.111, 403.704 403.72, 403.721, 403.722, 403.73, 403.8055 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 19, 2012, 12:00 Noon
 PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Julie Rainey (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Rainey, Department of Environmental Protection, MS 4560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8713 or email at Julie.C.Rainey@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-730.001 Declaration and Intent.

Rulemaking Specific Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.72, 403.721 FS. History - New 5-28-81; Amended 9-8-81, 12-6-81, 3-4-82, 5-19-83, 1-5-84, 7-22-85; Formerly 17-30.01, 17-30.001, Formerly 17-730.001, Amended 1-29-06, Repealed.

62-730.100 Availability of Information.

Rulemaking Specific Authority 403.704, 403.722 FS. Law Implemented 403.111, 403.704, 403.722, 403.73 FS. History - New 7-9-82; Formerly 17-30.31; Amended 9-23-87, 6-28-88, Formerly 17-30.310, Amended 10-7-93, Formerly 17-730.310, 62-730.310, Amended 1-29-06, Repealed.

62-730.231 Newly Regulated Facilities.

Rulemaking Specific Authority 403.704, 403.722, 403.814 FS. Law Implemented 403.704, 403.722, 403.8055 FS. History - New 9-23-87; Amended 6-28-88, Formerly 17-30.231, Amended 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.231, Amended 1-5-95, 1-29-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julie Rainey

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-731.020	Definitions
62-731.050	Grants; General Specifications
62-731.060	Small Quantity Generator Assessment, Notification and Verification Program Grant Eligibility and Standards
62-731.062	Expanded Local Hazardous Waste Management Program Grant Eligibility and Standards
62-731.064	Award of Grant Funds

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Although Rules 62-731.020, 62-731.050, 62-731.060, 62-731.062 and 62-731.064, F.A.C., are authorized by Sections 403.061, F.S., 403.721, F.S., 403.7225, F.S., 403.7226, F.S., and 403.7234, F.S., they are not mandated by statute and there will be no adverse consequences if they are repealed. The rules were created to provide clarification to the regulated public, but they are not necessary.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed changes remove duplicative and unnecessary information. There are no costs associated with removing the sections. Thus, the proposed rules are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.721, 403.7225, 403.7226, 403.7234 FS.

LAW IMPLEMENTED: 403.704, 403.7225, 403.7226, 403.7234, 403.7236, 403.7238, 403.7265, 403.74 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 19, 2012, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Julie Rainey (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Rainey, Department of Environmental Protection, MS 4560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8713 or email at Julie.C.Rainey@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-731.020 Definitions.

Rulemaking Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7226, 403.7234, 403.7236, 403.7238, 403.7265, 403.74 FS. History–New 2-9-84, Formerly 17-31.02, 17-31.020, Amended 8-8-94, Formerly 17-731.020, Repealed.

62-731.050 Grants; General Specifications.

Rulemaking Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7234, 403.7238, 403.7265, 403.74 FS. History–New 2-9-84, Amended 1-27-85, Formerly 17-31.05, 17-31.050, Amended 8-8-94, Formerly 17-731.050, Amended 3-15-95, Repealed.

62-731.060 Small Quantity Generator Assessment, Notification and Verification Program Grant Eligibility and Standards.

Rulemaking Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7234, 403.7265, 403.74 FS. History–New 2-9-84, Formerly 17-31.06, 17-31.060, Amended 8-8-94, Formerly 17-731.060, Repealed.

62-731.062 Expanded Local Hazardous Waste Management Program Grant Eligibility and Standards.

Rulemaking Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7238, 403.74 FS. History–New 8-8-94, Formerly 17-731.062, Amended 3-15-95, Repealed.

62-731.064 Award of Grant Funds.

Rulemaking Specific Authority 403.061, 403.721 FS. Law Implemented 403.704, 403.7225, 403.7234, 403.7238, 403.7265, 403.74 FS. History–New 8-8-94, Formerly 17-731.064, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julie Rainey

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-737.100	Purpose and Intent
62-737.710	Requirements for Reverse Distribution Programs

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: There is no statutory authority granting rulemaking authority for Rule 62-737.100, F.A.C., in Section 403.7186, F.S. Although Rule 62-737.710 is authorized by Sections 403.061, F.S., and 403.7186, F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule was created to provide clarification to the regulated public, but it is not necessary.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed changes remove an “intent” section for which there is no statutory authority. They also remove unnecessary requirements and procedures from

the rule. There are no costs associated with removing these sections. Thus, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.7186 FS. LAW IMPLEMENTED: 403.7186, 403.721 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 10, 2012, 12:00 Noon

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jack Price (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jack Price, Department of Environmental Protection, MS 4570, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8751 or email at John.L.Price@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-737.100 Purpose and Intent.

Rulemaking Specific Authority 403.061, 403.7186 FS. Law Implemented 403.7186, 403.721 FS. History–New 5-10-95, Amended 5-20-98, Repealed.

62-737.710 Requirements for Reverse Distribution Programs.

Rulemaking Specific Authority 403.061, 403.7186 FS. Law Implemented 403.7186, 403.721 FS. History–New 5-10-95; Amended 5-20-98, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack Price

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-740.010
RULE TITLE: Declaration of Intent
PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.
SUMMARY: Although Rule 62-740.010, F.A.C., is authorized by Sections 376.303, F.S., and 403.721, F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule was created to provide clarification to the regulated public, but it is not necessary.

OTHER RULES INCORPORATING THIS RULE: None
EFFECT ON THOSE OTHER RULES: N/A
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed change removes a statement of intent for the chapter. There are no costs associated with removing the section. Thus, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 376.303, 403.721 FS.
LAW IMPLEMENTED: 376.30, 376.302, 376.303, 403.702, 403.704, 403.72, 403.721 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 19, 2012, 2:00 p.m.
PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Julie Rainey (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julie Rainey, Department of Environmental Protection, MS 4560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8713 or email at Julie.C.Rainey@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-740.010 Declaration of Intent.

Rulemaking Specific Authority 376.303, 403.721 FS. Law Implemented 376.30, 376.302, 376.303, 403.702, 403.704, 403.72, 403.721 FS. History–New 12-18-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Julie Rainey

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-761.510
RULE TITLE: Performance Standards for Category-A and Category-B Storage Tank Systems

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Although Rule 62-761.510, F.A.C., is authorized by section 376.303, F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule is no longer applicable as it applies to old standards that have been phased out.

OTHER RULES INCORPORATING THIS RULE: Paragraph 62-252.300(1)(d), F.A.C., Gasoline Dispensing Facilities – Stage I Vapor Recovery
 Paragraph 62-252.400(1)(b), Gasoline Dispensing Facilities – Stage II Vapor Recovery
 Subparagraph 62-761.700(1)6.a & 62-761.700(2), F.A.C., Repairs, Operation & Maintenance of Storage Tank Systems

EFFECT ON THOSE OTHER RULES: Paragraph 62-252.300(1)(d), F.A.C., Gasoline Dispensing Facilities – Stage I Vapor Recovery. Division of Air plans to update citation from Rule 62-510 to Rule 52-500, FAC.
 Paragraph 62-252.400(1)(b), Gasoline Dispensing Facilities – Stage II Vapor Recovery. No effect because Division of Air has scheduled this rule for repeal.
 Subparagraph 62-761.700(1)6.a & 62-761.700(2), F.A.C., Repairs, Operation & Maintenance of Storage Tank Systems. No effect, citation will be deleted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed change removes expired requirements making this language unnecessary. There are no costs associated with removing the section. Thus, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 376.303 FS.

LAW IMPLEMENTED: 376.303-.3072 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 19, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bill Burns (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Burns, Department of Environmental Protection, MS 4525, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8842, or email at Bill.Burns@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-761.510 Performance Standards for Category-A and Category-B Storage Tank Systems.

Rulemaking Specific Authority 376.303 FS. Law Implemented 376.303-.3072 FS. History—New 12-10-90, Amended 5-4-92, Formerly 17-761.510, Amended 9-30-96, 7-13-98, 6-21-04, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill Burns

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-769.900
 RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Although Rule 62-769.900, F.A.C., is authorized by Section 376.305(6) and 376.3072, F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule was created to provide clarification to the regulated public, but it is not necessary.

OTHER RULES INCORPORATING THIS RULE:

Rule 62-769.800(3)5 and 62-769.800(4)(b), F.A.C.

EFFECT ON THOSE OTHER RULES:

Rule 62-769.800(3)5. and 62-769.800(4)(b), F.A.C. No effect on repealing Rule 62-769.900, F.A.C., as these other rules are scheduled for repeal.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The section being repealed is for forms that are no longer required or necessary. For the public's convenience, the remaining optional forms are being maintained on the Department's website. Thus, there are no costs associated with the repeal of this section. Therefore, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 376.305(6), 376.3072 FS.

LAW IMPLEMENTED: 376.305, 376.3072 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 19, 2012, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bill Burns (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Burns, Department of Environmental Protection, MS 4525, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8842, or email at Bill.Burns@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-769.900 Forms.

Rulemaking Specific Authority 376.303, 376.3072 FS. Law Implemented 376.305, 376.3072 FS. History—New 2-27-89, Amended 2-20-91, Formerly 17-769.999, Amended 2-22-93, Formerly 17-769.900, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Bill Burns
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-773.100	Introduction and Scope
62-773.200	Definitions
62-773.300	Auditing
62-773.350	Limitations
62-773.400	Cost and Completion Schedule Estimate
62-773.500	Program Tasks
62-773.600	Reimbursement of Capital Expense Items
62-773.650	Reimbursement Incentives
62-773.700	Application for Reimbursement
62-773.750	Reimbursement Application Review
62-773.800	Reimbursement Schedule
62-773.900	Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The entire Chapter 62-773, F.A.C., Reimbursement for Petroleum Contamination Site Cleanup, while originally mandated by Florida Statutes, is no longer necessary. Per subsections 376.3071(12), F.S., and 376.30711(1), F.S., the reimbursement program ended for new claims after January 3, 1997. All reimbursement claims have been processed and all payments have been made.

OTHER RULES INCORPORATING THIS RULE:
 Paragraph 62-769.800(4)(a), F.A.C., Abandoned Tank Restoration Program

EFFECT ON THOSE OTHER RULES:
 Paragraph 62-769.800(4)(a), F.A.C., Abandoned Tank Restoration Program. No effect with repealing Chapter 62-773, F.A.C., because Paragraph 62-769.800(4)(c), F.A.C., is also scheduled for repeal.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: This rule chapter is being repealed because this program ended January 3, 1997, pursuant to Sections 376.3071(12) and 376.30711, F.S. There are no more reimbursement applications pending before the agency and all claims have been paid. Additionally, there are no costs associated with this repeal. Therefore, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 376.303, 376.3071, 376.3072 FS.

LAW IMPLEMENTED: 376.301, 376.305, 376.3071, 376.3072 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 19, 2012, 8:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Charles Williams (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Charles Williams, Department of Environmental Protection, MS 4540, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8863 or email at Charles.Williams@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-773.100 Introduction and Scope.

Rulemaking Specific Authority 376.303, 376.305, 376.3071, 376.3072 FS. Law Implemented 376.305, 376.3071, 376.3072 FS. History—New 5-3-88, Formerly 17-73.001, Amended 12-10-89, 6-25-91, 4-22-93, Formerly 17-773.100, Amended 8-11-98, Repealed.

62-773.200 Definitions.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History—New 5-3-88, Amended 10-5-88, Formerly 17-73.020, Amended 12-10-89, 6-25-91, 4-22-93, Formerly 17-773.200, Amended 8-11-98, Repealed.

62-773.300 Auditing.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History—New 5-3-88, Formerly 17-73.030, Amended 6-25-91, 4-22-93, Formerly 17-773.300, Repealed.

62-773.350 Limitations.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.301, 376.3071, 376.3072 FS. History—New 5-3-88, Formerly 17-73.040, Amended 12-10-89, 6-25-91, 12-31-91, 4-22-93, Formerly 17-773.350, Amended 8-11-98, Repealed.

62-773.400 Cost and Completion Schedule Estimate.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History–New 5-3-88, Amended 10-5-88, Formerly 17-73.050, Amended 12-10-89, 6-25-91, 4-22-93, Formerly 17-773.400, Repealed.

62-773.500 Program Tasks.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History–New 5-3-88, Amended 10-5-88, Formerly 17-73.060, Amended 12-10-89, 6-25-91, 4-22-93, Formerly 17-773.500, Repealed.

62-773.600 Reimbursement of Capital Expense Items.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History–New 5-3-88, Amended 10-5-88, Formerly 17-73.070, Amended 12-10-89, 6-25-91, 4-22-93, Formerly 17-773.600, Repealed.

62-773.650 Reimbursement Incentives.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History–New 6-25-91, Amended 12-31-91, 4-22-93, Formerly 17-773.650, Repealed.

62-773.700 Application for Reimbursement.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History–New 5-3-88, Amended 10-5-88, Formerly 17-73.080, Amended 12-10-89, 6-25-91, 4-22-93, Formerly 17-773.700, Amended 8-11-98, Repealed.

62-773.750 Reimbursement Application Review.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History–New 5-3-88, Amended 10-5-88, Formerly 17-73.090, Amended 12-10-89, 4-22-93, Formerly 17-773.750, Repealed.

62-773.800 Reimbursement Schedule.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History–New 5-3-88, Formerly 17-73.100, Amended 12-10-89, 4-22-93, Formerly 17-773.800, Repealed.

62-773.900 Forms.

Rulemaking Specific Authority 376.303, 376.3071, 376.3072 FS. Law Implemented 376.3071, 376.3072 FS. History–New 5-3-88, Amended 10-5-88, Formerly 17-73.999, Amended 6-25-91, 4-22-93, Formerly 17-773.900, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Charles Williams
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-780.110
RULE TITLE: Purpose, Intent and General Principles

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Although Rule 62-780.110, F.A.C., is authorized by subsection 376.30701(2), F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule was created to provide clarification to the regulated public, but it is not necessary.

OTHER RULES INCORPORATING THIS RULE: None
EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: This rule is being repealed because it is not mandated by statute and there will be no adverse consequences if it is repealed. Additionally, there are no costs associated with this repeal. Therefore, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 376.30701 FS.
LAW IMPLEMENTED: 376.30701 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 10, 2012, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Brian Dougherty (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brian Dougherty, Department of Environmental Protection, MS 4535, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-7503, or email at Brian.Dougherty@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-780.110 Purpose, Intent and General Principles.

~~Rulemaking Specific~~ Authority 376.30701 FS. Law Implemented 376.30701 FS. History--New 4-17-05, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Brian Dougherty

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-788.100	Applicability and Limitations
62-788.200	Definitions
62-788.300	Application Process
62-788.400	Eligibility Determination
62-788.900	Forms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Although the entire rule Chapter 62-788, F.A.C., is authorized by Section 376.30781, F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule chapter was created to provide clarification to the regulated public, but it is not necessary.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: This rule chapter is being repealed because it is not mandated by statute and there will be no adverse consequences if it is repealed. Additionally, there are no costs associated with this repeal. Therefore, the proposed rule is not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 376.30781 FS.

LAW IMPLEMENTED: 376.30781 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 10, 2012, 2:00 p.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Teresa Boeshaghi (contact information provided below). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Teresa Boeshaghi, Department of Environmental Protection, MS 4505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8933, or email at Teresa.Boeshaghi@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-788.100 Applicability and Limitations.

~~Rulemaking Specific~~ Authority 376.30781 FS. Law Implemented 376.30781 FS. History--New 3-31-99, Repealed.

62-788.200 Definitions.

~~Rulemaking Specific~~ Authority 376.30781 FS. Law Implemented 376.30781 FS. History--New 3-31-99, Repealed.

62-788.300 Application Process.

~~Rulemaking Specific~~ Authority 376.30781 FS. Law Implemented 376.30781 FS. History--New 3-31-99, Repealed.

62-788.400 Eligibility Determination.

~~Rulemaking Specific~~ Authority 376.30781 FS. Law Implemented 376.30781 FS. History--New 3-31-99, Repealed.

62-788.900 Forms.

~~Rulemaking Specific~~ Authority 376.30781 FS. Law Implemented 376.30781 FS. History--New 3-31-99, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Teresa Boeshaghi

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-807.100	Purpose
62-807.300	Prohibitions and Applicability
62-807.310	Public Service Commission's Determination of Need
62-807.420	Application Distribution, Schedule
62-807.430	Notice of Application Filing
62-807.440	Determination of Sufficiency, Withdrawal

- 62-807.450 Preliminary Statement of Issues
- 62-807.480 Agency Reports
- 62-807.490 Arrangement for Certification Hearing Locations, Notice
- 62-807.500 Analysis by the Department; Conditions
- 62-807.520 Reminder Notice
- 62-807.540 Certification Hearing — Subject Matter, Procedures, Participants
- 62-807.590 Corridor, Notice of Corridor
- 62-807.630 Review, Enforcement
- 62-807.640 Revocation or Suspension of Certification
- 62-807.650 Termination of Certification

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: These rules are being repealed because they are unnecessary to the program or because they substantially restate statutory language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.9404(1), (2) FS.

LAW IMPLEMENTED: 403.9401-9425 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 11, 2012, 1:00 p.m.

PLACE: Marjory Stoneman Douglas Building, Conference Room A, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Cindy Mulkey, 3900 Commonwealth Blvd., MS 48, Tallahassee, FL 32399-3000, (850)245-2002, Cindy.Mulkey@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Cindy Mulkey, 3900 Commonwealth Blvd., MS 48, Tallahassee, FL 32399-3000, (850)245-2002, Cindy.Mulkey@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-807.100 Purpose.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 403.9401-9425 FS. History–New 8-12-93, Formerly 17-807.10, Repealed.

62-807.300 Prohibitions and Applicability.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 403.9405 FS. History–New 8-12-93, Formerly 17-807.300, Repealed.

62-807.310 Public Service Commission’s Determination of Need.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 403.941(2), 403.9422 FS. History–New 8-12-93, Formerly 17-807.310, Repealed.

62-807.420 Application Distribution, Schedule.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 403.9407 FS. History–New 8-12-93, Formerly 17-807.420, Repealed.

62-807.430 Notice of Application Filing.

Rulemaking Specific Authority 403.9404(1), (2) FS. Law Implemented 403.9411(1), 403.9414 FS. History–New 8-12-93, Formerly 17-807.430, Repealed.

62-807.440 Determination of Sufficiency, Withdrawal.

Rulemaking Specific Authority 403.9404(1), (2) FS. Law Implemented 403.9409 FS. History–New 8-12-93, Formerly 17-807.440, Repealed.

62-807.450 Preliminary Statement of Issues.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 403.941(1) FS. History–New 8-12-93, Formerly 17-807.450, Repealed.

62-807.480 Agency Reports.

Rulemaking Specific Authority 403.9404(1),(2) FS. Law Implemented 403.941(2) FS. History–New 8-12-93, Formerly 17-807.480, Repealed.

62-807.490 Arrangement for Certification Hearing Locations, Notice.

Rulemaking Specific Authority 403.9404(1),(2) FS. Law Implemented 403.9411(1) FS. History–New 8-12-93, Formerly 17-807.490, Repealed.

62-807.500 Analysis by the Department, Conditions.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 403.941(3) FS. History–New 8-12-93, Formerly 17-807.500, Repealed.

62-807.520 Reminder Notice.

Rulemaking Specific Authority 403.9404(1), (2) FS. Law Implemented 403.9411(1)(c) FS. History–New 8-12-93, Formerly 17-807.520, Repealed.

62-807.540 Certification Hearing – Subject Matter, Procedures, Participants.

Rulemaking Specific Authority 403.9404(1), (2) FS. Law Implemented 403.9411, 403.9414, 403.9415(4) FS. History–New 8-12-93, Formerly 17-807.540, Repealed.

62-807.590 Corridor, Notice of Corridor.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 119, 403.94055, 403.9417 FS. History–New 8-12-93, Formerly 17-807.590, Repealed.

62-807.630 Review, Enforcement.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 403.9419 FS. History–New 8-12-93, Formerly 17-807.630, Repealed.

62-807.640 Revocation or Suspension of Certification.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 403.9425 FS. History–New 8-12-93, Formerly 17-807.640, Repealed.

62-807.650 Termination of Certification.

Rulemaking Specific Authority 403.9404(1) FS. Law Implemented 403.9416 FS. History–New 8-12-93, Formerly 17-807.650, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cindy Mulkey, Program Administrator

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Herschel T. Vinyard, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Beaches and Coastal Systems**

RULE NO.: 62B-33.007
RULE TITLE: Structural and Other Requirements
Necessary for Permit Approval

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as no longer necessary.

SUMMARY: This rule repeal reflects changes to the Florida Statutes [Section 161.053(21), F.S., Effective March 1, 2002], incorporating structural design requirements, contained in Rule 62B-33.007, F.A.C., into the Florida Building Code (Section 3109) for structures located seaward of the coastal construction control line

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule repeal will not increase regulatory cost because it eliminates duplicative regulation.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 161.053 FS.

LAW IMPLEMENTED: 161.052(2), 161.053 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 14, 2011, 2:00 p.m.

PLACE: Bureau of Beaches and Coastal Systems, 4708 Capital Circle, N.W., Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Rosaline Beckham, Environmental Specialist, (850)488-7815, e-mail rosaline.beckham@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rosaline Beckham, Environmental Specialist, (850)488-7815, e-mail rosaline.beckham@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62B-33.007 Structural and Other Requirements Necessary for Permit Approval.

Rulemaking Specific Authority 161.053 FS. Law Implemented 161.052(2), 161.053 FS. History—New 11-18-80, Amended 3-17-85, 11-10-85, Formerly 16B-33.07, Amended 5-12-92, Formerly 16B-33.007, Amended 9-12-96, 1-26-98, 8-27-00, 12-31-01, 6-13-04, 5-31-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, P.E., Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NO.: 62B-49.003
RULE TITLE: Policy

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as no longer necessary.

SUMMARY: Repeal section to remove redundancy in the rule chapter.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule repeal will not raise regulatory cost because it eliminates a duplicative rule.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 161.055, 373.427 FS.

LAW IMPLEMENTED: 161.041, 161.055, 373.427 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 14, 2011, 9:00 a.m.

PLACE: Bureau of Beaches and Coastal Systems, 4708 Capital Circle, N.W., Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Debbie Bohlen, Operations Review Specialist, (850)488-7816, e-mail debbie.bohlen@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Debbie Bohlen, Operations Review Specialist, (850)488-7816, e-mail debbie.bohlen@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62B-49.003 Policy.

Rulemaking Specific Authority 161.055, 373.427 FS. Law Implemented 161.041, 161.055, 373.427 FS. History—New 10-12-95, Amended 2-19-98, 5-17-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, P.E., Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Resource Management

RULE NO.: 62C-30.001
RULE TITLE: General

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is not needed and is not mandated by statute.

OTHER RULES INCORPORATING THIS RULE: Chapter 62C-30 is referenced by Rules 62-528.120, 62C-25.001, 62C-25.002 and 62C-26.003, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed repeal will have no substantive effect on the rule sections that cross reference Chapter 62C-30, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 377.22 FS.

LAW IMPLEMENTED: 377.21, 377.22, 377.24, 377.241, 377.242, 377.243, 377.371 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 11, 2012, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Paul Dirac Drive (Collins Building), Large Conference Room, Tallahassee, Florida 32310-3760

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Ed Garrett at (850)245-8496. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ed Garrett, Department of Environmental Protection, Bureau of Mining and Minerals Regulation, MS 715, 2051 East Paul Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217 or e-mail: ed.garrett@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62C-30.001 General.

Rulemaking Specific Authority 377.22 FS. Law Implemented 377.21, 377.22, 377.24, 377.241, 377.242, 377.243, 377.371 FS. History—New 11-26-81, Formerly 16C-30.01, Amended 6-4-89, 5-12-93, Formerly 16C-30.001, Amended 3-24-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Resource Management

RULE NOS.:	RULE TITLES:
62C-36.007	Confidentiality and Availability of Records
62C-36.012	Violations, Injunctive Relief and Penalties

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is duplicative of statutory language and is thus not needed.

OTHER RULES INCORPORATING THIS RULE: Chapter 62C-36 is referenced by Rules 62-660.820, 62C-35.003, 62C-35.004, and 62C-39.013, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed repeals will have no substantive effect on the rule sections that cross reference Chapter 62C-36, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce rules that are duplicative, unnecessarily burdensome, or no longer needed.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 378.404 FS.

LAW IMPLEMENTED: 120.69, 378.404, 378.406, 378.408, 378.409 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 11, 2012, 1:00 p.m.

PLACE: Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Paul Dirac Drive (Collins Building), Large Conference Room, Tallahassee, Florida 32310-3760

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Howard Hayes at (850)488-8217. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Howard Hayes, Department of Environmental Protection, Bureau of Mining and Minerals Regulation, MS 715, 2051 East Paul Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217 or e-mail: howard.hayes@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62C-36.007 Confidentiality and Availability of Records.

Rulemaking Specific Authority 378.404 FS. Law Implemented 378.406 FS. History--New 7-16-87, Formerly 16C-36.007, Repealed.

62C-36.012 Violations, Injunctive Relief and Penalties.

Rulemaking Specific Authority 378.404 FS. Law Implemented 120.69, 378.404, 378.408, 378.409 FS. History--New 7-16-87, Formerly 16C-36.012, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Resource Management**

RULE NOS.:	RULE TITLES:
62C-37.007	Confidentiality and Availability of Records
62C-37.012	Violations, Injunctive Relief and Penalties

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is duplicative of statutory language and is thus not needed.

OTHER RULES INCORPORATING THIS RULE: Chapter 62C-37 is referenced by Rule 62C-39.013, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed repeals will have no substantive effect on the rule section that cross references chapter 62C-37, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not require ratification by the Florida legislature, because the rules are being repealed to reduce rules that are duplicative, unnecessarily burdensome, or no longer needed.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 378.404, 378.406, 378.601 FS.

LAW IMPLEMENTED: 120.69, 378.404, 378.406, 378.408, 378.409, 378.601 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 11, 2012, 1:00 p.m.

PLACE: Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Paul Dirac Drive (Collins Building), Large Conference Room, Tallahassee, Florida, 32310-3760

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Howard Hayes at (850)488-8217. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Howard Hayes, Department of Environmental Protection, Bureau of Mining and Minerals Regulation, MS 715, 2051 East Paul Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217 or e-mail: howard.hayes@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62C-37.007 Confidentiality and Availability of Records.

Rulemaking Specific Authority 378.404, 378.406, 378.601 FS. Law Implemented 378.406, 378.601 FS. History–New 2-22-87, Formerly 16C-37.007, Repealed.

62C-37.012 Violations, Injunctive Relief and Penalties.

Rulemaking Specific Authority 378.404, 378.601 FS. Law Implemented 120.69, 378.404, 378.408, 378.409, 378.601 FS. History–New 2-22-87, Formerly 16C-37.012, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Resource Management**

RULE NOS.:	RULE TITLES:
62C-38.007	Confidentiality and Availability of Records
62C-38.012	Violations, Injunctive Relief, and Penalties

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is duplicative of statutory language and is thus not needed.

OTHER RULES INCORPORATING THIS RULE: Chapter 62C-38 is referenced by Rule 62C-39.013, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed repeals will have no substantive effect on the rule section that cross references Chapter 62C-38, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not require ratification by the Florida legislature, because the rules are being repealed to reduce rules that are duplicative, unnecessarily burdensome, or no longer needed.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 378.404 FS.

LAW IMPLEMENTED: 378.406, 378.408, 378.409 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 11, 2012, 1:00 p.m.

PLACE: Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Paul Dirac Drive, Large Conference Room, Tallahassee, Florida, 32310-3760

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Howard Hayes at (850)488-8217. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Howard Hayes, Department of Environmental Protection, Bureau of Mining and Minerals Regulation, MS 715, 2051 East Paul Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217 or e-mail: howard.hayes@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62C-38.007 Confidentiality and Availability of Records.

Rulemaking Specific Authority 378.404 FS. Law Implemented 378.406 FS. History–New 3-19-87, Amended 11-29-90, Formerly 16C-38.007, Repealed.

62C-38.012 Violations, Injunctive Relief and Penalties.

Rulemaking Specific Authority 378.404 FS. Law Implemented 378.408, 378.409 FS. History–New 3-19-87, Amended 11-29-90, Formerly 16C-38.012, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Resource Management

RULE NOS.:	RULE TITLES:
62C-39.007	Confidentiality and Availability of Records
62C-39.012	Violations, Injunctive Relief, and Penalties

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: This rule is duplicative of statutory language and is thus not needed.

OTHER RULES INCORPORATING THIS RULE: Chapter 62C-39 is referenced by Rules 62-660.820, 62C-35.003, and 62C-35.004, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed repeals will have no substantive effect on the rule sections that cross reference Chapter 62C-39, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking will not require ratification by the Florida legislature, because the rules are being repealed to reduce rules that are duplicative, unnecessarily burdensome, or no longer needed.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 378.404 FS.

LAW IMPLEMENTED: 120.69, 378.406, 378.408, 378.409 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 11, 2012, 1:00 p.m.

PLACE: Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Paul Dirac Drive (Collins Building), Large Conference Room, Tallahassee, Florida 32310-3760

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five (5) days before the workshop/meeting by contacting: Howard Hayes at (850)488-8217. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Howard Hayes, Department of Environmental Protection, Bureau of Mining and Minerals Regulation, MS 715, 2051 East Paul Dirac Drive, Tallahassee, Florida 32310-3760, (850)488-8217 or e-mail: howard.hayes@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62C-39.007 Confidentiality and Availability of Records.

Rulemaking Specific Authority 378.404 FS. Law Implemented 378.406 FS. History—New 1-19-89, Formerly 16C-39.007, Repealed_____.

62C-39.012 Violations, Injunctive Relief and Penalties.

Rulemaking Specific Authority 378.404 FS. Law Implemented 120.69, 378.408, 378.409 FS. History—New 1-19-89, Formerly 16C-39.012, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Law Enforcement

RULE NOS.:	RULE TITLES:
62N-16.027	Form: Request for Reimbursement for Damage
62N-16.035	Transfers

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal two rules in Chapter 62N-16, F.A.C., Pollutant Discharge Act, that are no longer necessary. Rule 62N-16.027, F.A.C., Form: Request for Reimbursement for Damage, will be repealed due to the fact that the rule is not mandated by statute. Furthermore, Rule 62N-16.020, F.A.C., Reimbursement of Damage Claims, which is the rule this form applies to, has been repealed, thereby making Rule 62N-16.027, F.A.C., outdated and unnecessary. Rule

62N-16.035, F.A.C., Transfers, will be repealed due to the fact that this rule is not mandated by statute. Furthermore, Rule 62N-16.035, F.A.C., is not being used by the Department and therefore unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of these rules are a result of the Department's review pursuant to EO 11-01 and will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 376.07 FS.

LAW IMPLEMENTED: 376.041, 376.12 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 19, 2011, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Douglas Building, Conference Room 743D, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gareth Leonard, Florida Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, telephone (850)245-2222, or e-mail: Gareth.Leonard@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gareth Leonard, Florida Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, telephone (850)245-2222, or e-mail: Gareth.Leonard@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62N-16.027 Form: Request for Reimbursement for Damage.

Rulemaking Specific Authority 376.07 FS. Law Implemented 376.12 FS. History--New 11-5-80, Formerly 16N-16.27, Amended 6-17-92, Formerly 16N-16.027, Repealed.

62N-16.035 Transfers.

Rulemaking Specific Authority 376.07 FS. Law Implemented 376.041 FS. History--New 3-2-93, Formerly 16N-16.035, Amended 10-17-94, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory L. Gibson, Assistant Director, Division of Law Enforcement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Law Enforcement**

RULE NO.: RULE TITLE:

62N-30.001 Retirement Award

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal a rule identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Repeal the rule in Chapter 62N-30, F.A.C., Retirement Award, that is no longer necessary. Rule 62N-30.001, F.A.C., Retirement Award, will be repealed due to the fact that the rule is not mandated by statute. Furthermore, Rule 62N-30.001, F.A.C., is not being used by the Department because it is outdated and unnecessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The repeal of this rule is a result of the Department's review pursuant to EO 11-01 and will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 112.193 FS.

LAW IMPLEMENTED: 112.193 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: December 19, 2011, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Douglas Building, Conference Room 743D, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gareth Leonard, Florida Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, telephone (850)245-2222, or e-mail: Gareth.Leonard@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gareth Leonard, Florida Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, telephone (850)245-2222, or e-mail: Gareth.Leonard@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62N-30.001 Retirement Award.

Rulemaking Specific Authority 112.193 FS. Law Implemented 112.193 FS. History--New 2-10-81, Formerly 16N-30.01, 16N-30.001, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory L. Gibson, Assistant Director, Division of Law Enforcement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of State Lands

RULE NO.: 62Q-15.013
 RULE TITLE: Management and Sale of RICO Lands

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome or no longer necessary.

SUMMARY: This rule provides for the management and sale of RICO parcels owned by the Board of Trustees of the Internal Improvement Trust Fund. Because the Board of Trustees no longer owns any RICO parcels and parcels are no longer being forfeited to the state under the Florida RICO Act (ss. 895.01-895.09, F.S.), the rule may be repealed. After repeal of this rule, if the Board of Trustees does acquire a future parcel under the RICO Act, management and disposition of that parcel would be governed by Section 253.03(12), F.S., and Chapter 18-2, F.A.C., and the distribution of the sales proceeds would be governed by Section 253.03(12), F.S.

OTHER RULES INCORPORATING THIS RULE: None

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Repealing this unnecessary rule will not have an adverse impact or impose a regulatory cost.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 253.03(7) FS.

LAW IMPLEMENTED: 253.03(7), (12) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 18, 2012, 10:00 a.m.

PLACE: Conference Room A, First Floor, Douglas Building, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Karri MacInnes, Government Operations Consultant I, Division of State Lands, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 100, Tallahassee, FL 32399-3000, telephone: (850)245-2555, email: karri.macinnes@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Karri MacInnes, Government Operations Consultant I, Division of State Lands, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS100, Tallahassee, FL 32399-3000, telephone: (850)245-2555, email: karri.macinnes@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62Q-15.013 Management and Sale of RICO Lands.

Rulemaking Specific Authority 253.03(7) FS. Law Implemented 253.03(7), (12), 253.03(7), (13), (15) FS. History--New 2-4-86, Formerly 16Q-15.013, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Clay Smallwood, Division Director, Division of State Lands
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.1003
 RULE TITLE: Active License Renewal Fees
 PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce the fees paid by pharmacists.

SUMMARY: The fee paid by pharmacist will be reduced.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:
 During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.
 RULEMAKING AUTHORITY: 456.036, 465.005, 465.008, 465.0125, 465.0126 FS.
 LAW IMPLEMENTED: 456.036, 456.065(3), 465.008, 465.0125, 465.0126, 465.014 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.1003 Active License Renewal Fees.

(1) The biennial license renewal fee for an active pharmacist license shall be ~~\$200~~ \$250 plus a \$5 unlicensed activity fee pursuant to Section 456.065(3), F.S.

(2) through (4) No change.

Rulemaking Authority 456.036, 465.005, 465.008, 465.0125, 465.0126 FS. Law Implemented 456.036, 456.065(3), 465.008, 465.0125, 465.0126, 465.014 FS. History--New 1-11-05, Amended 2-24-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2010
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.103
 RULE TITLE: Continuing Education Credits; Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify course approval requirements and to provide for additional credits for pharmacy technicians.
 SUMMARY: Course approval requirements will be clarified; additional credits for pharmacy technicians will be provided.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 456.033, 465.009 FS.

LAW IMPLEMENTED: 456.013(7), (9), 456.033, 465.009 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.103 Continuing Education Credits; Renewal.

(1) Prior to biennial renewal of pharmacist licensure, a licensee shall complete no less than 30 hours of approved courses of continued professional pharmaceutical education within the 24 month period prior to the expiration date of the license. The following conditions shall apply.

(a) through (g) No change.

(h) Continuing education may consist of post-graduate studies, institutes, seminars, lectures, conferences, workshops, correspondence courses, or other educational opportunities which advance the practice of the profession of pharmacy if approved by the Board. A course shall be approved prior to completion and will be evaluated by the Tripartite Committee using the standards found in Rule 64B16-26.601, F.A.C. Individuals must submit requests for course approval at least 45 days in advance of the program or course by completing the approved application form DOH/MQA/PH 112, (Rev 3/02), entitled Board of Pharmacy Course Approval application, which is incorporated by reference, and which can be obtained from the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or from the website located at <http://www.doh.state.fl.us/mqa/pharmacy>. Individuals seeking course approval must attach to the application a detailed program outline, overview or syllabus which describes the educational content, objectives and faculty qualifications.

(i) through (m) No change.

(2) through (3) No change.

(4) Prior to renewal a registered pharmacy technician shall complete no less than twenty (20) hours of Board approved continuing education in the course work specified in Rule 64B16-26.355, F.A.C., within the 24 month period prior to the expiration date of the pharmacy technician registration.

(a) through (e) No change.

(f) Five hours of continuing education in the subject area of risk management may be obtained by attending one full day or eight (8) hours of a board meeting at which disciplinary hearings are conducted by the Board of Pharmacy in compliance with the following:

1. The registrant must sign in with the Executive Director or designee of the Board before the meeting day begins;

2. The registrant must remain in continuous attendance;

3. The registrant cannot receive continuing education credit for attendance at a board meeting if required to appear before the board; and

4. The maximum continuing education hours allowable per biennium under this paragraph shall be ten (10).

~~(g)~~ At least four (4) of the required 20 hours must be obtained either at a live seminar, a live video teleconference, or through an interactive computer-based application.

Rulemaking Authority 456.033, 465.009 FS. Law Implemented 456.013(7), (9), 456.033, 465.009 FS. History—New 3-19-79, Formerly 21S-6.07, Amended 1-7-87, Formerly 21S-6.007, Amended 7-31-91, 10-14-91, Formerly 21S-26.103, 61F10-26.103, Amended 7-1-97, Formerly 59X-26.103, Amended 7-11-00, 10-15-01, 1-2-02, 1-12-03, 4-12-05, 5-26-09, 5-27-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:
64B16-26.206

RULE TITLE:
Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates)

PURPOSE AND EFFECT: The Board proposes the rule promulgation to create a new rule for endorsement candidates that are foreign trained.

SUMMARY: A new rule for endorsement candidates that are foreign trained will be created.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The

Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 465.005, 465.0075 FS.

LAW IMPLEMENTED: 456.013(1), 456.033, 465.007, 465.0075, 465.022 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.206 Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates).

An applicant for licensure by endorsement for a foreign graduate must be at least 18 years of age and a recipient of a degree from a school or college of pharmacy located outside the United States and have met the requirements listed in Rule 64B16-26.2031, Florida Administrative Code.

(1) All applications for licensure by endorsement must be made on form DH-MQA 1196, effective October 2010, Pharmacist Licensure by Endorsement Application and Instructions (Foreign Graduates), which is incorporated by reference, and shall be accompanied with a non-refundable endorsement application fee and initial licensure fee as set forth in Rules 64B16-26.1001 and 64B16-26.1002, F.A.C. Contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or (850)488-0595 to request a form or download the form from the Board's website at <http://www.doh.state.fl.us/mqa/pharmacy>.

(2) The applicant must submit proof that one of the following requirements has been met:

(a) Two years of active practice, as defined in Section 465.0075(1)(c), F.S., within the immediately preceding five (5) years. To prove that the applicant has two years of active practice, the applicant must submit Form DH-MQA 1196, Item 4, Licensure Verification Form to the licensing authority of the state of licensure. It is the applicant's responsibility to ensure that the licensing authority completes the form and returns it to the Board. If the applicant meets the requirements of this paragraph, proof of completion of 30 hours of Florida Board of Pharmacy approved continuing education obtained in the two calendar years immediately preceding application, must also be submitted. Adequate proof consists of a letter from the

provider or a certificate of completion, which contains the course title, course number and the number of hours completed.

(b) Passing of postgraduate training at a school or college of pharmacy accredited by an accrediting agency recognized and approved by the United States Office of Education. The applicant must provide the Board with a transcript directly from the school of instruction.

(c) Successful completion of an internship meeting the requirements of Rule 64B16-26.2033, F.A.C. within the immediately preceding two (2) years. To prove that the applicant has successfully completed the internship, the applicant must submit Form DH-MQA 1196, Item 3, Internship Work Experience Form (Form B). The applicant's supervising pharmacist must sign this form.

(3) The applicant must provide proof of completion of 500 hours of supervised work activity in the State of Florida as provided by Section 465.007(1)(b)2., F.S. The supervised work activity program experience shall be documented on form DH-MQA, 1153, "Foreign Pharmacy Graduate Registered Intern Work Activity Manual," effective January 2010. Contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or (850)488-0595 to request a form or download the form from the Board's website at <http://www.doh.state.fl.us/mqa/pharmacy>. Further, no supervised work activity program shall be approved for any applicant until said applicant has obtained the passing score of the Foreign Pharmacy Graduate Equivalency Exam as provided in Section 465.007, F.S.

(4) The applicant must submit proof of completion of a board-approved course not less than 2 hours on medication errors that covers the study of root-cause analysis, error reduction and prevention and patient safety. For applicants who apply within one year following the receipt of their pharmacy degree, completed academic course work on medication errors will be accepted by the board as an educational course under this subsection, provided such course work is no less than 2 contact hours and that it covers the study of root-cause analysis, error reduction and prevention and patient safety as evidenced by a letter attesting to subject matter from an official of the university.

(5) All requirements for licensure by endorsement must be met within one (1) year of the receipt of the application. Applicants failing to meet this requirement must reapply.

(6) Applicants applying under the provisions of Section 465.0075, F.S., must have obtained a passing score on the licensure examination as described in subsection 64B16-26.200(1), F.A.C.

(7) Applicants applying under the provisions of Section 465.0075, F.S., shall cause the National Association of Boards of Pharmacy, or other similar organization to issue a transfer of

Pharmaceutical Licensure Certificate showing examination date, examination results, status of licensure, disciplinary actions and licensure status.

(8) Applicants deemed qualified for licensure by endorsement shall be required to complete the Multistate Pharmacy Jurisprudence Examination – Florida Version. Passing scores of this examination may be used upon reapplication only if the examination was completed within three (3) years of the reapplication.

Rulemaking Authority 465.005, 465.0075 FS. Law Implemented 456.013(1), 456.033, 465.007, 465.0075, 465.002 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.601
 RULE TITLE: Standards for Approval of Continuing Education Courses and Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify and update the requirements for seeking approval of CE courses.

SUMMARY: The requirements for seeking approval of CE courses will be clarified and updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 465.005, 465.009 FS.

LAW IMPLEMENTED: 456.025(7), 465.009 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.601 Standards for Approval of Continuing Education Courses and Providers.

(1) Providers seeking board approval for General Continuing Education courses shall meet each of the following:

(a) Complete the approved application form DOH/MQA/PH109, (Rev. 02/09), entitled Board of Pharmacy Provider Approval application, which is incorporated by reference, and which can be obtained from the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or from the website located at [tap://www.doh.state.fl.us/mqa/pharmacy](http://www.doh.state.fl.us/mqa/pharmacy) and submit a fee of \$150.00.

(b) There shall be a visible, continuous, and identifiable authority charged with the administration of continuing education programs. The person or persons in whom the administrative function is vested shall be qualified by virtue of background, education, training and experience.

(c) All continuing education offerings conducted by the provider shall meet the standards outlined in subsection (3).

(d) Submit licensee continuing education course completion credits in the electronic continuing education tracking system in accordance with Section 456.025(7), F.S.

(2) Providers seeking approval of a single course or program shall meet each of the following:

(a) Complete the application DOH/MQA/PH111, (Rev. 02/09), entitled Individual Request for Approval of Continuing Education, which is incorporated by reference, and which may be obtained from the Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or from the website located at <http://www.doh.state.fl.us/mqa/pharmacy>.

(b) There shall be a visible, continuous, and identifiable authority charged with the administration of continuing education programs. The person or persons in whom the administrative function is vested shall be qualified by virtue of background, education, training and experience.

(c) All continuing education offerings under this section shall meet the standards outlined in subsection (3).

(d) All continuing education offerings shall be submitted to the Tripartite Committee for review and approval at least 45 days in advance of the program or course.

(e) All approved continuing education offerings under this section are valid for one biennium.

~~(3)(4) Each continuing education offering shall proposal for program or course approval submitted by a qualified provider must contain a detailed outline of the content of said program or course on forms which will be provided by the Board of Pharmacy upon request, and shall must build upon Standards of Practice and a basic course or courses offered in the curricula of accredited colleges or schools of pharmacy. Continuing education may consist of post-baccalaureate degree programs offered by accredited colleges or schools of pharmacy, post-graduate studies, institutes, seminars, lectures, conferences, workshops, correspondence courses, or other such committee approved educational methods.~~

~~(2) All offerings shall must meet the following standards:~~

~~(a) Education Content Development.~~

~~1. No change.~~

~~2. Continuing education offerings for pharmacists shall be designed to reflect the educational needs of the pharmacist and build on the standards for practice and courses in the curricula of accredited colleges or schools of pharmacy.~~

~~3. Continuing education offerings for registered pharmacy technicians shall be designed to reflect the educational needs of the pharmacy technician and build on the standards for practice and courses in the curricula of Board-approved training programs for registered pharmacy technicians.~~

~~4.3- No change.~~

~~(b) Methods of Delivery.~~

~~1. through 2. No change.~~

~~(c) Program Faculty Qualifications.~~

~~1. through 3. No change.~~

~~(d) Facilities.~~

~~1. No change.~~

~~(e) Evaluation. The provider must make provision for evaluation of the participants' attainment of the stated learner objectives through in-process activities that provide a measurable demonstration of the learner's achievement(s).~~

~~1.2- The provider must develop and employ an evaluation mechanism for the purpose of allowing the participant to assess his/her achievement of personal objectives.~~

~~2.3- The provider shall develop and employ an evaluation mechanism that will assess the effectiveness of the learning experiences, instructional methods, facilities, and resources used for the offering.~~

~~(f) Contact Hour Criteria.~~

~~1. The number of contact hours or Continuing Education Units (CEU) shall be determined by the provider in advance of the offering subject to approval by the committee and awarded upon the successful completion of the entire planned education experience.~~

~~2. Providers shall adhere to a uniform quantitative system of measurement for continuing education credit based on the contact hour which is defined as 50-60 minutes of participation or its equivalent. The CEU is defined as 10 contact hours in an~~

organized continuing pharmacy education activity under responsible sponsorship, capable direction and qualified instruction.

(g) Record Keeping.

1. Records of ~~single course individual~~ offerings shall be maintained by the provider for inspection by the Board. The records shall be adequate to serve the needs of the participants and to permit the Board to monitor for adherence to the standards for continuing education offerings as outlined in the rules.

2. No change.

3. Records shall be maintained by the provider for a minimum of four (4) ~~three (3)~~ years.

~~(3) Providers seeking board approval shall meet each of the standards outlined herein:~~

~~(a) All continuing education offerings conducted by the provider shall meet the standards for continuing education offerings as outlined in these rules:~~

~~(b) There shall be a visible, continuous, and identifiable authority charged with administration of continuing education programs. The person or persons in whom the administrative function is vested shall be qualified by virtue of background and experience and approval by the committee.~~

~~(4) All programs approved by the Accreditation Council on Pharmacy Education (ACPE) are for continuing education for pharmacists may be deemed approved by this Board for general continuing education hours for pharmacists.~~

~~(5) Entities or individuals who wish to become Approved providers of continuing education must submit an initial approval fee of \$150 and provide information to demonstrate compliance with the requirements of this rule. A provider seeking to renew approved provider status shall pay a renewal fee of \$150. The renewal period for approved providers shall run concurrent with the pharmacist licensure renewal period. Approved providers will be subject to the audit provided for in Rule 64B16-26.600, F.A.C. and must maintain compliance with these audit requirements.~~

~~(6) Entities or individuals applying for approval of an individual program shall submit a fee of \$50 and the individual program shall only be approved for one biennium and provide information to demonstrate compliance with this rule.~~

Rulemaking Specific Authority 465.005, 465.009 FS. Law Implemented 456.025(7), 465.009 FS. History--New 10-17-79, Amended 7-29-81, Formerly 21S-13.02, 21S-13.002, Amended 1-10-93, Formerly 21S-26.601, 61F10-26.601, 59X-26.601, Amended 1-29-03.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 14, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.100
RULE TITLE: Pharmacy Permits – Applications and Permitting

PURPOSE AND EFFECT: The Board proposes the rule promulgation to provide a single rule for permitting of pharmacies by combining the permitting rules into one rule and to incorporate new applications.

SUMMARY: A new rule will be created to provide a single rule for permitting of pharmacies.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 456.013, 456.025(3), 465.018, 465.019, 465.0193, 465.0196, 465.0197, 465.022 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.100 Pharmacy Permits – Applications and Permitting.

This section addresses the application and permitting requirements of business establishments regulated under Chapter 465, F.S. Any establishment that is required to have a permit shall apply to the board for the appropriate permit on forms indicated in this rule. Applications and forms referenced in this section may be accessed or downloaded from the

board's website at <http://www.doh.state.fl.us/mqa/pharmacy> or may be obtained by contacting the Board of Pharmacy, at 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254 or (850)488-0595. Inquiries regarding the status of the application or license verification may be obtained at <http://www.FLHealthsource.com>. The application must be accompanied with a \$250 initial permit fee, payable to the Board.

(1) All Permits: A permit is valid only for the name and address to which it is issued. The name in which the permit is issued must be the name in which the company is doing business, i.e., the name that appears on purchase and sales invoices.

(a) A permit shall be issued only to a single entity at a single location. The service provided by the permit shall be consistent with the issued permit. A single location shall be defined as:

1. A contiguous area under the control of the permit holder. For purposes of this rule, a public thoroughfare will be considered to have not broken the area of contiguity, and

2. An area not more than one half (1/2) mile from the central location of the permit.

(b) The name in which a permit is issued may be changed upon notification to the board. To change the name in which a permit is issued the person or establishment must file with the board an original Form DH-MQA 1227 "Pharmacy Permit Name Change Form" effective December 2010, which is incorporated by reference herein, and is available on the board's website at <http://www.doh.state.fl.us/mqa/pharmacy>.

(c) Each applicant must file with the board a legible set of fingerprint cards and a \$48 fee for each person who submits an application meeting the requirements in Section 465.022(3), F.S. An applicant may register demographic information and purchase fingerprint cards (FD-258) at <http://www.fldoh.sofn.net/>. If an applicant chooses not to purchase a fingerprint card, the applicant must make sure the police or agency that rolls the fingerprints uses a FD-258 fingerprint card. A Non-Resident Pharmacy Registration applicant is not required to submit a legible set of fingerprints upon application.

(d) Passing an on-site inspection is a prerequisite to issuance of a new permit, whether based on an initial application, change of ownership, or change of address. At the time of the on-site inspection, the board inspector will document the applicant's compliance with all applicable rules and statutes.

(e) Each applicant must attach to the application the applicant's written policies and procedures for preventing controlled substance dispensing based on fraudulent representations or invalid practitioner-patient relationships.

(2) Community Pharmacy Permit as authorized by Section 465.018, F.S., is required for every location where medicinal drugs are compounded, dispensed, stored, or sold or where

prescriptions are filled or dispensed on an outpatient basis. Applicants for a community pharmacy permit must complete an application for a permit using an original Form DH-MQA 1214, "Community Pharmacy Permit Application and Information," effective October 2011 which is incorporated by reference herein.

(a) Applicants for a Community Pharmacy Permit must:

1. Comply with all permitting requirement found in paragraph (1) of this rule; and

2. Designate a prescription department manager as required by Section 465.018, Florida Statutes;

(b) The permittee and the newly designated prescription department manager shall notify the board within 10 days of any change in the prescription department manager using an original Form DH-MQA PH10, "Prescription Department Manager Change," effective December 2010, which is incorporated by reference herein.

(3) Institutional Pharmacy Permits as authorized by Section 465.019, F.S., is required for any location in any health care institution where medicinal drugs are compounded, dispensed, stored or sold. Applicants for a Institutional Pharmacy permit must complete an application for a permit using an original Form DH-MQA 1215, "Institutional Permit Application and Information," effective December 2010, which is incorporated by reference herein.

(a) Applicants for an Institutional Pharmacy Permit must:

1. Comply with all permitting requirement found in paragraph (1) of this rule; and

2. Designate a consultant pharmacist of record as required by Section 465.019, Florida Statutes;

(b) The Board shall be notified in writing within 10 days of any change in the consultant pharmacist of record using an original Form DH-MQA 1184, "Consultant Pharmacist of Record Change Form," effective December 2010, which is incorporated by reference herein.

(4) Nuclear Pharmacy Permit as authorized by Section 465.0193, F.S., is required for every location where radioactive drugs and chemicals within the classification of medicinal drugs are compounded, dispensed, stored, or sold. Applicants for a Nuclear Pharmacy permit must complete an application for a permit using an original Form DH-MQA 1218, "Nuclear Pharmacy Permit Application and Information," effective December 2010, which is incorporated by reference herein.

(a) Applicants for an Nuclear Pharmacy Permit must:

1. Comply with all permitting requirement found in subsection (1) of this rule; and

2. Designate a nuclear pharmacist of record as required by Section 465.0193, Florida Statutes;

(b) The permittee and the newly designated prescription department manager shall notify the board within 10 days of any change in the prescription department manager using an

original Form DH-MQA PH10, "Prescription Department Manager Change," effective December 2010, which is incorporated by reference herein.

(5) Special Pharmacy Permits as authorized in Section 465.0196, F.S., is required for any location where medicinal drugs are compounded, dispensed, stored, or sold and which are not a community pharmacy, institutional pharmacy, nuclear pharmacy or internet pharmacy. Applicants for a Special-Limited Community, Special-Parenteral and Enteral, Special- Closed System Pharmacy, Special-End Stage Renal Disease (ESRD), Special-Parenteral/Enteral Extended Scope, and Special- Assisted Living Facility (ALF) permits must complete an application for a permit using an original Form DH-MQA 1220, "Special Pharmacy Permit Application and Information," effective December 2010, which is incorporated by reference herein.

(a) Applicants for a Special Pharmacy Permit must:

1. Comply with all permitting requirement found in paragraph (1) of this rule; and

2. Designate a prescription department manager or consultant pharmacist of record as required by Section 465.0196, Florida Statutes;

(b) The permittee and the newly designated prescription department manager shall notify the board within 10 days of any change in the prescription department manager using an original Form DH-MQA PH10, "Prescription Department Manager Change," effective December 2010, which is incorporated by reference herein.

(c) The Board shall be notified in writing within 10 days of any change in the consultant pharmacist of record using an original Form DH-MQA 1184, "Consultant Pharmacist of Record Change Form," effective December 2010, which is incorporated by reference herein.

(d) The Board recognized the following types of Special Pharmacy permits:

1. Special Limited Community Permit may be obtained by an Institutional Class II Pharmacy that dispenses medicinal drugs to employees, medical staff, emergency room patients, and other patients on continuation of a course of therapy.

2. Special Parenteral and Enteral Permit is required to provide parenteral (IV), enteral, and cytotoxic pharmacy services to outpatients. The applicant must be compliant with the Standard for Compounding Sterile Preparations found in Rule 64B16-27.797, F.A.C. Special-Parenteral and Enteral Pharmacy Permits may stand-alone or be used in conjunction with a Community Pharmacy or Special-Closed System Pharmacy Permit. The permittee must provide 24-hour telephone accessibility.

3. Special Closed System Pharmacy Permit is not open to the public and prescriptions are individually prepared for dispensing utilizing closed delivery systems, for ultimate consumers in health care institutions including nursing homes, jails, ALF's, Intermediate Care Facility/Mentally Retarded

(ICF-MR's) or other custodial care facilities when defined by AHCA rules which the Board may approve. This permit may not provide medications to in-patients in a hospital.

4. Special Pharmacy – End Stage Renal Disease (ESRD) Permit is a type of special pharmacy which is limited in scope of pharmacy practice to the provision of dialysis products and supplies to persons with chronic kidney failure for self-administration at the person's home or specified address.

5. Special Pharmacy – Parenteral/Enteral Extended Scope Permit is required for pharmacies to compound patient specific parenteral/enteral preparations in conjunction with institutional pharmacy permits, provided requirements set forth herein are satisfied.

6. Special-Assisted Living Facility (ALF) Permit is an optional facility license for those Assisted Living Facilities providing a drug delivery system utilizing medicinal drugs provided in unit dose packaging.

(6) Internet Pharmacy Permit as authorized by Section 465.0197, F.S., is required for any location not otherwise licensed or issued a permit under this chapter, within or outside this state that uses the Internet to communicate with or obtain information from consumers and uses the information to fill or refill prescriptions or to dispense, distribute, or otherwise engage in the practice of pharmacy in this state. Applicants for an Internet Pharmacy permit must complete an application for a permit using an original Form DH-MQA 1220, "Special Pharmacy Permit Application and Information," effective December 2010, which is incorporated by reference herein.

(a) Applicants for an Internet Pharmacy Permit must:

1. Comply with all permitting requirement found in paragraph (1) of this rule; and

2. Designate a prescription department manager or consultant pharmacist of record as required by Section 465.0197, Florida Statutes;

(b) As set forth in Section 465.0197, F.S., the permittee shall notify the board within 30 days of any change of location, corporate officers, and the pharmacist serving as the prescription department manager using an original Form DH-MQA PH10, "Prescription Department Manager Change," effective December 2010, which is incorporated by reference herein.

(7) Non-Resident Pharmacy Registration as authorized by Section 465.0156, F.S., is required for those pharmacies located outside the state and which ships, mails, or delivers a dispensed medicinal drug into this state. Applicants for a Non-Resident Registration must complete an application for a registration using an original Form DH-MQA 1217, "Non-Resident Pharmacy Permit Application and Information," effective December 2010, which is incorporated by reference herein. Applicants for registration as a non-resident pharmacy must comply with all requirements found in Section 465.0156, F.S.

Rulemaking Authority 465.005, 465.022 FS. Law Implemented 456.013, 456.025(3), 465.018, 465.019, 465.0193, 465.0196, 465.0197, 465.022 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:

64B16-28.101

RULE TITLE:

Prescription Area Accessible to Inspection

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the performance of pharmacy inspections.

SUMMARY: The performance of pharmacy inspections will be clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.017, 465.022 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.101 Prescription Area Accessible to Inspection.

(1) The prescription department compounding room or any other place where prescriptions are compounded, filled, processed, accepted, dispensed, or stored in each pharmacy shall be so situated and located that authorized agents and employees of the Department or other persons authorized by law to enter and inspect, can observe and survey the confines of said department, room or area and can enter into said department, room or area after identifying themselves, for the purpose of inspection at a reasonable hour or when the practice of the profession of pharmacy is being carried on, as defined in Section 465.003, F.S., without having been previously detained or announced. Such inspection may be routinely conducted at any time by authorized agents of the Department to determine whether Chapter 465, F.S., or provisions of these rules have been violated or for other lawful purposes, and need not be in response to a complaint filed with the Department. There shall be a minimum of one (1) inspection per year except as otherwise provided herein or directed by the Board.

(a) A pharmacy shall be inspected twice during the first year of operation.

(b) A pharmacy which has had passing inspections for the most current three years, and no discipline during the most current three years shall be inspected every two years.

(c) A pharmacy which fails to obtain a passing inspection or which is disciplined during the two year inspection cycle will be inspected annually until it achieves passing inspections for the most current three years, and no discipline during the most current three years as set forth in this subsection.

(2) No change.

Rulemaking Specific Authority 465.005, 465.022 FS. Law Implemented 465.017, 465.022 FS. History—Amended 5-19-72, 11-2-81, Formerly 21S-1.01, 21S-1.001, Amended 7-31-91, Formerly 21S-28.101, 61F10-28.101, 59X-28.101, Amended 5-4-05.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 9, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.1081 RULE TITLE: Regulation of Daily Operating Hours

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide a way for a pharmacy to be open less than 40 hours a week.

SUMMARY: New language will provide for a pharmacy to be open less than 40 hours per week.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.1081 Regulation of Daily Operating Hours.

Any person who receives a community pharmacy permit pursuant to Section 465.018, F.S., and commences to operate such an establishment shall keep the prescription department of the establishment open for a minimum of forty (40) hours per week ~~and a minimum of five (5) days per week.~~ The Board hereby approves exceptions to the requirements noted above and permits closing of the prescription department for the following holidays: New Year’s Day, Memorial Day, Fourth of July (Independence Day), Labor Day, Veterans’ Day, Thanksgiving, Christmas and any bona fide religious holiday provided that notice of such closing is given in a sign as set forth herein. A sign in block letters not less than one inch in height stating the hours the prescription department is open each day shall be displayed either at the main entrance of the establishment or at or near the place where prescriptions are dispensed in a prominent place that is in clear and unobstructed view. The prescription department manager may petition the Board in writing to operate the prescription department for less than forty (40) hours per week, but no less than twenty (20) hours per week. Prior to approving reduced hours, the Board may require the prescription department manager to appear before the Board to explain in detail the services that will be performed. Any pharmacy open less than 40 hours shall have a

policy and procedure that provides a mechanism for access to a pharmacist during the time the pharmacy is not open for the remainder of the forty hour week. Any pharmacy that is not open 40 hours a week, must post the days and hours that the pharmacy is open and the information for after-hours access. Any pharmacy open less than 40 hours shall also have a policy and procedure for transferring a prescription pursuant to Rule 64B16-27.105, F.A.C. or receiving an emergency dose pursuant to Section 465.0275, F.S. during the time the pharmacy is open less than 40 hours.

Rulemaking Specific Authority 465.005, 465.022 FS. Law Implemented 465.022(1) FS. History–New 4-10-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 14, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.303
RULE TITLE: Destruction of Controlled Substances All Permittees (excluding Nursing Homes)

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide an easier method for destruction of controlled substances.

SUMMARY: New language will provide for an easier method for destruction of controlled substances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022, 465.018 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.303 Destruction of Controlled Substances All Permittees (excluding Nursing Homes).

(1) No change.

(2) Permittees are required to complete a United States Drug Enforcement Administration (D.E.A.) Form 41. This form, at the time of destruction, shall be witnessed and signed by the prescription department manager or the consultant pharmacist of record and D.E.A. agent, or a Department inspector. This method of destruction does not require prior approval from D.E.A., but does require that a copy of the completed and witnessed D.E.A. Form 41 be mailed to D.E.A. immediately after destruction.

(3) Another method of destruction shall be conducted by at least two persons who are either a licensed pharmacist, physician or nurse, or requires the prescription department manager for the permit, one other pharmacist, and a sworn law enforcement officer or any combination thereof, to serve as the witnesses. A copy of the completed D.E.A. Form 41 and a letter providing the proposed date of destruction, the proposed method of destruction and the names and titles of the proposed witnesses must be received by D.E.A. at least two weeks prior to the proposed date of destruction which shall constitute a request for destruction. The drugs may not be destroyed until D.E.A. grants approval of the request for destruction. A copy of the completed and witnessed D.E.A. Form 41 shall be mailed to D.E.A. immediately after destruction.

(4) No change.

Rulemaking Authority 465.005, 465.022 FS. Law Implemented 465.022, 465.018 FS. History–New 4-21-87, Formerly 21S-19.003, Amended 7-31-91, Formerly 21S-28.303, 61F10-28.303, Amended 1-30-96, Formerly 59X-28.303, Amended 2-5-07, 10-27-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pharmacy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-30.003 Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to update violations and citations.

SUMMARY: Violations and citations will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 456.073, 456.077, 465.005 FS.

LAW IMPLEMENTED: 456.077 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-30.003 Citations.

(1) through (2) No change.

(3) The following violations with accompanying fines may be disposed of by citation:

(a) through (g) No change.

(h) Using in the compounding of \$250 fine, Completion of a prescription, or furnishing upon of an approved CE prescription, an ingredient or course in the article different in any manner prevention of from the ingredient or article medication errors or no prescribed, except as authorized less than 8 hours.

in Section 465.019(6) or 465.025, F.S.;

or dispensing a medication with dosage

instructions different in any way than

prescribed, provided that the medication was not used or ingested.

1. No allegation of harm or ill effects is present;

2. The licensee has no prior disciplinary history; and

3. The event did not result in or pose a significant threat to the health and safety of the patient or the public.

~~The penalty shall be a letter of concern, payment of costs, and completion of an approved continuing education course in the prevention of medication dispensing errors, of no less than eight (8) hours.~~

(i) Tendering a check payable to the Board of Pharmacy or to the Department of Health that is dishonored by the Institution upon which it is drawn \$100 fine plus payment of the check within 30 days.

(j) Failing to comply with the Educational course requirements for Human immunodeficiency virus and Acquired immune deficiency syndrome (HIV/AIDS), or medical errors \$500

(k) Failure to correct Minor violation as listed in Rule 64B16-30.002, F.A.C. \$250

(l) Failure to retain continuing education records \$250

(4) No change.

(5) The procedures described herein apply only for an initial offense of the alleged violation. Subsequent violation(s) of the same rule or statute shall require the procedures of Section 456.073, F.S., to be applied. In addition, should an initial offense for which a citation could be issued occur in conjunction with violations not described herein, then the procedures of Section ~~456.073~~ 455.225, F.S., shall apply.

Rulemaking Specific Authority 456.073, 456.077, 465.005 FS. Law Implemented 456.077 FS. History—New 12-22-91, Formerly 21S-30.003, 61F10-30.003, 59X-30.003, Amended 4-3-00, 1-2-02, 8-26-02, 1-12-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 30, 2011

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: RULE TITLE:
6E-1.003 Definition of Terms

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly. The originator of this rule was Sam Ferguson, Executive Director, Commission on Independent Education and was approved by the Commission on Independent Education on September 21, 2011.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: RULE TITLE:
6E-2.004 Standards and Procedures for
 Licensure

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly. The originator of this rule was Sam Ferguson, Executive Director, Commission on Independent Education and was approved by the Commission on Independent Education on September 21, 2011.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NOS.: RULE TITLES:
6E-4.001 Fees and Expenses
6E-4.005 Student Protection Fund; Trainout
 Procedures for Closure

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly. The originator of these rules was Sam Ferguson, Executive Director, Commission on Independent Education and was approved by the Commission on Independent Education on September 21, 2011.

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NOS.: RULE TITLES:
12B-5.050 Terminal Suppliers
12B-5.150 Public Use Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 39, September 30, 2011 issue of the Florida Administrative Weekly.

Paragraph (b) of subsection (6) of Rule 12B-5.050, F.A.C., has been changed so that, when adopted, that paragraph will read:

(6) REFUNDS AND CREDITS.

(b) Motor and Diesel Fuel Used for Agricultural Purposes.

1. Sales by terminal suppliers of taxable ~~motor diesel~~ fuel to persons for agricultural uses as provided in Section 206.63, F.S. Rule 12B-5.020, F.A.C., are subject to a refund pursuant to Section 206.64, F.S., and Rule 12B-5.130, F.A.C., of exempt from the municipal fuel tax, the local option fuel tax, the state comprehensive transportation system tax, and the fuel sales tax imposed by Sections 206.41(1)(c), (e), (f), and (g), F.S.

2. ~~A terminal supplier must accrue tax on all sales of taxable diesel fuel.~~ A terminal supplier may sell taxable diesel fuel exempt for agricultural purposes, but must accrue all taxes imposed under Section 206.87, F.S. To obtain an ultimate vendor credit for the tax accrued, terminal suppliers must complete Schedule 12, Ultimate Vendor Credits. Schedule 12 is required to be filed with the Terminal Supplier Tax Return, as indicated on the return.

The title of the discretionary sales surtax rate table on Page 5 of Form DR-309639 and on Page 4 of Form DR-309640 (incorporated by reference in subsections (37) and (38) of Rule 12B-5.150, F.A.C.), and the statement below the table have been changed so that, when adopted, that title and that statement will read:

Discretionary Sales Surtax Rates for 2012

Each county that has a surtax levy that is new, revised, or extended is indicated in bold.

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NOS.: RULE TITLES:
12C-1.003 Definitions
12C-1.051 Forms
12C-1.343 Interest Computations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 39, September 30, 2011 issue of the Florida Administrative Weekly.

In response to comments received from the Joint Administrative Procedures Committee, dated November 3, 2011, the following changes have been made.

The second sentence in the second paragraph of "III-A Line 3. Sales Factor" on Page 11, Form F-1120N, Corporate Income/Franchise and Emergency Excise Tax Return for taxable years beginning on or after January 1, 2011 (incorporated by reference in renumbered paragraph (5)(b) of

Rule 12C-1.051, F.A.C.), and the second sentence in the second paragraph of “III-A, Line 3. Sales” on Page 3, Form F-1065N, Instructions for Preparing Form F-1065 Florida Partnership Information Return (incorporated by reference in renumbered paragraph (3)(b) of Rule 12C-1.051, F.A.C.), has been changed so that, when adopted, that sentence will read:

The term “sales” is not limited to tangible personal property, and includes:

Paragraph (b) of renumbered subsection (2) of Rule 12C-1.343, F.A.C., has been changed so that, when adopted, that paragraph will read:

~~(b) The term “written notice” is defined in subsection Subsection 12C-1.003(6), F.A.C., defines “written notice” as an original return, an amended return, or a final determination of an audit liability.~~

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.226
 RULE TITLE: Youthful Offender Program Participation

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 35, September 2, 2011 issue of the Florida Administrative Weekly.

- (1) through (4) No change.
- (5) Advancement to Phase III.

~~(a) The Bureau of Classification and Central Records or designee will review inmates and determine if they meet the criteria for recommendation for modification of sentence. Review will include consideration of the potential rehabilitative benefits that may be achieved through the inmate’s participation in Phase III. No inmate has a right to recommendation for modification of sentence. Institutional classification staff is authorized to notify the Bureau of Classification and Central Records or designee of an inmate who meets the criteria for advancement to Phase III as set forth in this rule. The sentencing court shall be notified in writing by the Bureau of Classification and Central Records or designee requesting approval for the inmate to participate in the extended day program such that modification of sentence may be achieved. The state attorney shall, at the same time, be notified that the department is seeking such approval from the court.~~

~~1. If the sentencing court approves the department’s request that the inmate participate in the extended day program such that a potential recommendation for modification of sentence may be achieved per subsection (6) of this rule, the Bureau of Classification and Central Records or designee will note on the record that the sentencing court has approved this possibility. Institutional classification staff will notify the inmate of the court’s response. The 180 day period described in subparagraph (6)(a)1. below commences upon placement.~~

~~2. If the sentencing court disapproves of the inmate’s participation in the extended day program such that the inmate may achieve modification of sentence, the inmate shall complete incarceration pursuant to the terms of the commitment order. The Bureau of Classification and Central Records or designee will note on the record that the sentencing court has denied the inmate the possibility of sentence modification. Institutional classification staff will notify the inmate of the court’s response.~~

~~(b) If not previously identified by the department and approved for participation by the sentencing court, a Phase II inmate wishing to participate in Phase III must apply for advancement using Form DC6-188, Inmate Promotional Request, and an evaluation by the ICT will be conducted to determine whether the inmate is eligible for advancement to Phase III. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of the form is September 2011.~~

~~(b) If approved by the ICT for advancement, the inmate shall be eligible for recommendation for modification of sentence pursuant to section (6) of this rule. No inmate has a right to recommendation for modification of sentence. Institutional classification staff are authorized to notify the Bureau of Classification and Central Records or designee of an inmate who meets the criteria for recommendation for modification of sentence will review the inmate for eligibility for a potential recommendation for modification of sentence under subsection (6) of this rule. If not deemed eligible, the inmate shall remain in Phase III, subject to the provisions of subsection (4) of this rule, completing incarceration pursuant to the terms of the commitment order. Form DC6-188 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is September, 2011.~~

(6) Recommendations for Modification of Sentence.

(a) The following will result in an evaluation by the Bureau of Classification and Central Records or designee of the inmate’s eligibility for recommendation to the court for a modification of sentence at any time prior to the scheduled expiration of sentence as provided in Section 958.04(2)(d), F.S.:

1. ~~Successful~~ Potential for successful participation in all phases of the youthful offender extended day program, to include participation in Phase III of the extended day program for a minimum of 180 consecutive days; and

2. No change.

(b) Successful participation in the extended day program is defined as:

1. Satisfactory gain time ratings in Phase III for a minimum of 180 days; ~~Those days for which the youthful offender does not participate satisfactorily shall be repeated.~~

~~Any break in service of these days for reasons not in the inmate's control will be considered when determining days to be repeated.~~

2. through 4. No change.

(c) No change.

(d) One or more of the following will render the inmate ineligible for recommendation of a sentence modification to the court:

1. through 4. No change.

5. Sentenced as a habitual offender pursuant to Section 775.084, F.S.; ~~or~~

6. Currently serving mandatory portion of a sentence pursuant to Section 775.082, F.S.; or

7. The inmate has previously been granted modification of sentence under the provisions of this rule.

(7) Extended Day Program Assessment. Each inmate shall be required to participate in Phase III in a satisfactory manner for a minimum of 180 consecutive days in order to successfully complete the program.

(a) The review board shall continually assess the inmate's participation in the program and recommend status assignments. Should an inmate fail to successfully perform as set forth in subparagraphs (6)(b)2. through 4. of this rule at any time during Phase III, days served successfully previous to the unsuccessful performance will not be counted toward the minimum 180 day successful participation requirement, which may include a recommendation to repeat days for which an overall unsatisfactory report was received.

(b) Inmates who have successfully participated for the required time period ~~but who are awaiting release by the sentencing court or other releasing authority~~ shall remain subject to the rules of the department and the extended day program. Failure to adhere to the administrative rules of the department shall these rules may be grounds for removal from consideration for recommendation for modification of sentence the program, withdrawal of the department's request to the court for modification of the inmate's sentence, or a request by the department to rescind modification of sentence. Form DC6-194, Order Rescinding Order Modifying Modification of Sentence, will be completed by the Bureau of Classification and Central Records or designee and provided to the court with the request to rescind modification of sentence. Form DC6-194 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is September, 2011.

(8) Removal from Consideration for Recommendation.

(a) An inmate ~~shall can~~ be removed from the program ~~for health reasons, expiration of sentence, or when such removal is in the best interest of the inmate or the security of the institution and in accordance with section 958.11, F.S.~~ However, if the inmate has completed the minimum requirements prior to removal, and such removal is not due to

the inmate's receipt of a disciplinary report or corrective consultation, the inmate shall still be considered for recommendation for modification of sentence.

(b) ~~An inmate shall be removed from consideration for recommendation for modification of sentence for behavioral performance, or disciplinary reasons. If removal is for behavioral or disciplinary reasons, the inmate will not be reconsidered for a recommendation for modification of sentence.~~

(9) Sentence Modification Process.

(a) Inmates who have satisfactorily participated in the extended day program and who meet the eligibility criteria in section (6) of this rule will be recommended for sentence modification.

(b) ~~If eligible, institutional~~ Institutional classification staff shall ~~notify the Bureau of Classification and Central Records or designee of those inmates expected to achieve successful participation and~~ forward a completed Form DC6-195, Defendant's Waiver of Rights in Modification of Sentence, to the Bureau of Classification and Central Records or designee no earlier than 60 days but no later than 45 days prior to the inmate's expected completion of the program. The waiver shall be forwarded no earlier than five days prior to the expected completion of the 180-day requirement. Form DC6-195 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is September, 2011.

(c) The Bureau of Classification and Central Records or designee shall approve the ICT's recommendation, disapprove the recommendation, or refer the matter back to the ICT for additional information within 5 working days from receipt of the ICT's recommendation.

(d) If approved by the Bureau of Classification and Central Records or designee, a cover letter reporting that the inmate is participating satisfactorily in the program ~~and is expected to complete~~ will be sent to the community corrections intake office within the circuit of the sentencing court by the Bureau of Classification and Central Records or designee within 5 three 3 working days from approval of the ICT's recommendation the receipt of an e-mail or telephone call from the facility that the inmate is expected to complete the program.

(e) through (h) No change.

(i) If the sentence modification order is not received within 35 5 working days after the request is made inmate completes the program, the Bureau of Classification and Central Records or designee shall notify by email or by telephone the community corrections intake office that submitted the sentence modification packet to the court. The community corrections intake office staff shall contact the sentencing judge to determine the status of the request for sentence modification. Community corrections intake staff shall notify the Bureau of

Classification and Central Records or designee of the status of the request for sentence modification. If the community corrections intake office staff member obtains the approved DC6-193, the staff member shall forward the form to the Bureau of Admission and Release, and the processes enumerated in paragraphs (9)(g) through (9)(h) of this rule shall be followed.

(j) If the sentencing court disapproves the sentencing modification, the community corrections intake office shall notify the Bureau of Classification and Central Records or designee. The Bureau of Classification and Central Records or designee shall notify the ICT at the institution housing the inmate. ~~The ICT shall notify the inmate of the court's denial, and the provisions of paragraph (9)(k) of this rule shall be followed.~~

~~(k) If modification of sentence is denied by the sentencing court, the Bureau of Classification and Central Records or designee will approve transfer of the inmate to an appropriate facility. If the inmate is recommended for work release, the SCO will review the recommendation pursuant to the criteria set forth in Rule 33-601.602, F.A.C., and approve if appropriate. The ICT shall notify the inmate of the court's denial.~~

(10) No change.

Rulemaking Specific Authority 944.09, 958.04, 958.11 FS. Law Implemented 944.09, 958.04, 958.11, 958.12 FS. History--New 10-11-95, Amended 9-11-97, Formerly 33-33.013, Amended 3-13-01, Formerly 33-506.106, Amended 4-2-02, 2-19-03, 9-16-04,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-26.001	Purpose and Intent
59A-26.002	Definitions
59A-26.003	License Required
59A-26.004	Classification of Deficiencies
59A-26.005	Licensure Procedure, Fees and Exemptions
59A-26.006	Responsibilities for Operation
59A-26.007	Fiscal Standards
59A-26.0075	Fiscal Prohibitions, Kickbacks and Referrals
59A-26.008	Admission Policies and Requirements
59A-26.009	Personnel Standards
59A-26.010	Training, Habilitation, Active Treatment Professional, and Special Programs and Services
59A-26.011	Dietary Services
59A-26.012	Dental Services
59A-26.013	Psychological Services
59A-26.014	Drugs and Pharmaceutical Services
59A-26.015	Administration of Medications to ICF/DD Residents by Unlicensed Medication Assistants

59A-26.016	Requirements for Administration of Medication to Residents by Unlicensed Medication
59A-26.017	Training and Validation Required for Unlicensed Medication Assistants
59A-26.018	Plant Maintenance and Housekeeping
59A-26.019	Fire Protection, Life Safety, Systems Failure and External Emergency Communication
59A-26.020	Plans Submission and Fees Required
59A-26.021	Physical Plant Codes and Standards for ICF/DD
59A-26.022	Construction and Physical Environment Standards
59A-26.023	Disaster Preparedness

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 29, July 24, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:	RULE TITLES:
61D-2.008	Pre-meet Report Required
61D-2.018	Pooling of Prize Money in Jai Alai Prohibited
61D-2.019	Starting Time Notice Requirement

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 37, September 16, 2011 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule repeals are not expected to require legislative ratification based on the information expressly relied upon and described herein: the Division of Pari-Mutuel Wagering conducted an analysis of the proposed rules' potential economic impact and determined that they did not exceed any of the criteria established in section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-5.007
 RULE TITLE: Basis for Denial or Cancellation of License

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 37, September 16, 2011 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule repeal is not expected to require legislative ratification based on the information expressly relied upon and described herein: the Division of Pari-Mutuel Wagering conducted an analysis of the proposed rule’s potential economic impact and determined that it did not exceed any of the criteria established in section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-6.010
 RULE TITLES: Human Drug Testing, Urine testing for controlled substances

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 37, September 16, 2011 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule repeal is not expected to require legislative ratification based on the information expressly relied upon and described herein: the Division of Pari-Mutuel Wagering conducted an analysis of the

proposed rule’s potential economic impact and determined that it did not exceed any of the criteria established in section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-11.016
 RULE TITLE: Card and Domino Tables

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 37, September 16, 2011 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the information expressly relied upon and described herein: the Division of Pari-Mutuel Wagering conducted an analysis of the proposed rule’s potential economic impact and determined that it did not exceed any of the criteria established in section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.: 61D-13.001, 61D-13.002, 61D-13.003, 61D-13.004, 61D-13.005
 RULE TITLES: General Rules, Stewards, Jockeys, Maintaining a Straight Course, Disqualification

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 37, September 16, 2011 issue of the Florida Administrative Weekly.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule repeals are not expected to require legislative ratification based on the information expressly relied upon and described herein: the Division of Pari-Mutuel Wagering conducted an analysis of the proposed rules' potential economic impact and determined that they did not exceed any of the criteria established in Section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-23.003	Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated November 2, 2011. The correction is as follows:

The website address where the Federal Information Processing Standard Publication 180-3 "Secure Hash Standard" can be located is corrected to read as: http://csrc.nist.gov/publications/fips/fips180-3/fips180-3_final.pdf.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-5267

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-29.001	Certification Definition, Procedures, Prohibitions

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated November 2, 2011. The correction is as follows:

The STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-5267

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-788.100	Applicability and Limitations
62-788.150	Referenced Guidelines
62-788.200	Definitions
62-788.300	Application Process
62-788.310	Affordable Housing VCTC Application Process
62-788.320	Solid Waste VCTC Application Process
62-788.330	Solid Waste Removal Voluntary Cleanup Tax Credit Application Process
62-788.400	Eligibility Determination
62-788.900	Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 47, November 24, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.:	RULE TITLE:
64B-7.002	Disciplinary Guidelines

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 35, September 2, 2011 issue of the Florida Administrative Weekly.

64B-7.002 Disciplinary Guidelines.

(1) In imposing discipline on a pain-management clinic, its owner, designated physician or other persons as particularly indicated in paragraphs (2)(a) through (hh), the department shall act in accordance with these disciplinary guidelines and shall impose a penalty within the range corresponding to the severity and repetition of the violations unless the department finds it necessary to deviate from the guidelines in accordance with this rule. Any and all offenses listed are sufficient grounds for the initial refusal of registration to an applicant. The department shall recover the costs of the investigation and prosecution of the case as well as imposing the appropriate penalty. In addition to any other penalty, if the violation includes proof of intentional fraud or fraudulent misrepresentation, the department shall impose a penalty of \$10,000 per count or offense. When the penalty is suspension, the period of suspension for the registration of the clinic shall not exceed one year.

(2) Violations and Range of Penalties:

(a) through (k) No change.

~~(l) A physician who has failed to timely notify the department of the theft of prescription blanks from a pain-management clinic or a breach of other methods for prescribing within 24 hours as required by s. 458.3265(2) or 459.0137(2). (Sections 458.331(1)(pp), 459.015(1)(rr), F.S.). First offense, a fine of up to \$5,000 and from one year of probation to one year suspension or revocation. For a subsequent offense, a fine of up to \$5,000 and one year suspension or revocation.~~

(m) through (ii) renumbered (l) through (hh) No change.

(3) through (5) No change.

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-4.012 RULE TITLE: Acupoint Injection Therapies

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule development as noticed in Vol. 37, No. 39, September 30, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-31.010 RULE TITLE: Disciplinary Guidelines

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 46, November 19, 2010 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). When changed, the following subsections shall read as follows:

1. Subparagraphs (2)(a) 2., 3., and 4.:

	First Offense	Subsequent Offense
2. Attempting to renew a license by bribery or fraud.	2. Revocation of the license and payment of a \$10,000 fine.	
3. Obtaining or renewing a license by bribery or fraud.	3. Revocation of the license and payment of a \$10,000 fine.	
4. Obtaining or renewing a license through error of the Department of the Board.	4. Revocation.	

2. Subparagraphs (2)(b) 1. and 2.:

1. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation and an administrative fine of \$10,000, or in the case of application for licensure, denial of licensure.	
2. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts of \$5,000.00 or less.	2. From an administrative of \$10,000.00 and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.	2. From an administrative fine of \$10,000.00 and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

3. Paragraph (2)(c):

(c) Guilty of crime directly relating to practice or ability to practice. (Section 456.072(1)(c), F.S.); (Section 458.331(1)(c), F.S.)	(c) From reprimand to revocation or denial of license, and an administrative fine of \$1,000.00 to \$5,000.00.	(c) From probation to revocation or denial of the license, and an administrative fine of \$2,500.00 to \$5,000.00.
1. Involving a crime directly related to healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation, and an administrative fine of \$10,000, or in the case of application for licensure, denial of licensure.	

2. Involving a crime directly related to healthcare fraud in dollar amounts of \$5,000.00 or less.

2. From an administrative fine of \$10,000.00 and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.

2. From an administrative fine of \$10,000.00 and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

4. In paragraphs (2)(d), (e), (f), and (g), the language regarding community service shall be deleted from the rule.

5. The citations in subparagraph (g)1., shall read as follows: (Section 456.013(7), F.S.); (Section 456.033, F.S.); (Section 456.072(1)(e), F.S.); (Section 456.072(1)(s), F.S.)

6. Subparagraphs (2)(h)1. and 2.:

1. Involving healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation and an administrative fine of \$10,000, or in the case of application for licensure, denial of licensure.	
2. Involving healthcare fraud in dollar amounts of \$5,000.00 or less.	2. From an administrative fine of \$10,000.00 and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.	2. From an administrative fine of \$10,000.00 and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

7. In paragraph (2)(i), the language regarding community service shall be deleted from the rule.

8. Paragraph (2)(j):

(j) Sexual misconduct. (Section 456.072 (1)(v), F.S.); (Section 458.329, F.S.); (Section 458.331(1)(j), F.S.)	(j) From probation to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(j) From suspension, to be followed by a period of probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
---	---	--

9. Paragraphs (2)(k), (l), and (m):

(k) Deceptive, untrue, or fraudulent representations in the practice of medicine. (Sections 456.072(1)(a), (m), F.S.); (Section 458.331(1)(k), F.S.)	(k) From a letter of concern to revocation, or denial of licensure, and an administrative fine of \$10,000.00.	(k) From probation or denial of licensure, and an administrative fine of \$10,000.00 to revocation.
1. Deceptive, untrue, or fraudulent representations in the practice of medicine relating to healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation and an administrative of \$10,000, or in the case of application for licensure, denial of licensure.	
2. Deceptive, untrue, or fraudulent representations in the practice of medicine relating to healthcare fraud in dollar amounts of \$5,000.00 or less.	2. From an administrative fine of \$10,000.00 and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.	2. From an administrative fine of \$10,000.00 and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.
(l) Improper solicitation of patients. (Section 458.331(1)(l), F.S.)	(l) From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand to probation, or denial of licensure.	(l) From suspension, to be followed by a period of probation, to revocation or denial of licensure, and an administrative fine from \$2,500.00 to \$5,000.00.
(m) Failure to keep legible written medical records. (Section 458.331(1)(m), F.S.)	(m) From a letter of concern to a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(m) From a reprimand to suspension followed by probation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or denial of licensure.
1. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation and an administrative fine of \$10,000, or in the case of application for licensure, denial of licensure.	

2. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts of \$5,000.00 or less.	2. An administrative fine of \$10,000.00, and a reprimand to suspension of the license, or in the case of application for licensure, denial of licensure.	2. An administrative fine of \$10,000.00, and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.
--	---	---

12. In paragraphs (2)(n), (o), (p), and (q), the language regarding community service shall be deleted from the rule.

13. Paragraph (2)(r):

(r) Performing of experimental treatment without informed consent. (Section 458.331(1)(u), F.S.)	(r) From a letter of concern to suspension, to be followed by a period of probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(r) From suspension to be followed by a period of probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
--	--	---

14. In paragraph (2)(t), the language regarding community service shall be deleted from the rule.

15. Subparagraph (2)(u)2.:

2. Violation of an order of the Board.	2. From a reprimand and an administrative fine of \$1,000.00 to a reprimand and an administrative fine of \$5,000.00.	2. From a reprimand and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00 and probation.
--	---	---

16. In paragraph (2)(v), the language regarding community service shall be deleted from the rule.

17. Paragraph (2)(w):

(w) Aiding an unlawful abortion. (Section 458.331(1)(z), F.S.)	(w) From probation to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(w) From suspension, to be followed by a period of probation, to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
--	---	---

18. In paragraph (2)(x), the language regarding community service shall be deleted from the rule.

19. Paragraphs (2)(y) and (z):

(y) Improper use of substances for muscle building or enhancement of athletic performance. (Section 458.331(1)(ee), F.S.)	(y) From a reprimand to suspension, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(y) From suspension to be followed by a period of probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
(z) Use of amygdaline (laetrile). (Section 458.331(1)(ff), F.S.)	(z) From a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.	(z) From suspension to be followed by a period of probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

20. In paragraphs (2)(aa), (bb), and (cc), the language regarding community service shall be deleted from the rule.

21. Paragraph (2)(ee):

(ee) Theft or reproduction of an examination. (Section 456.018, F.S.)	(ee) Revocation or denial of licensure.	
---	---	--

22. Subsections (2)(kk) and (ll):

(kk) Performing health care services on the wrong patient, wrong site, wrong procedure. (Section 456.072(1)(bb), F.S.)	(kk) From a letter of concern, a minimum of five (5) hours of risk management education, and one (1) hour lecture on wrong-site surgery in the State of Florida, and a \$1,000 fine to a \$2,500.00 fine to a reprimand and probation and an administrative fine ranging from \$1,000.00 to \$2,500.00.	(kk) From a reprimand and probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.
--	---	---

(ll) Leaving a foreign body in a patient. (Section 456.072(1)(cc), F.S.)	(ll) From a \$1,000.00 to a \$5,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, and a one hour lecture to the staff of a Florida licensed healthcare facility on retained foreign body objects to revocation.	(ll) From a \$7,500.00 fine, a reprimand and probation, or denial to revocation.
--	---	--

23. Paragraph (2)(oo):

(oo) Engaging in a pattern of practice when prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients. (456.072(1)(gg), F.S.)	(oo) From reprimand to probation, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or denial of licensure.	(oo) From probation, to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
--	---	--

24. The citations to Sections 459.005 and 459.023, F.S., shall be deleted from the Rulemaking Authority and Law Implemented.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joy A. Tootle, Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.006
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

The change is due to concerns by the Joint Administrative Committee in their letter dated October 31, 2011. The change is as follows:

Subsection (2) shall now read as follows:

(2) The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners and applicants for licensure guilty of violating Chapters 464 and 456, F.S. The purpose of the disciplinary guidelines is to give notice to licensees and applicants of the range of penalties which will normally be imposed upon violations of particular provisions of Chapters

464 and 456, F.S. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapters 464 and 456, F.S., or the rules promulgated thereto, or other unrelated violations will be grounds for enhancement of penalties. All penalties set forth in the guidelines include lesser penalties, i.e., reprimand and or course-work which may be included in the final penalty at the Board’s discretion. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

Rulemaking Authority 456.072, 456.079 FS. Law Implemented 456.072, 456.079, 464.018 FS. History–New 2-5-87, Amended 8-12-87, 12-8-87, 11-23-89, 7-28-92, Formerly 210-10.011, Amended 12-5-93, Formerly 61F7-8.006, Amended 5-1-95, Formerly 59S-8.006, Amended 8-18-98, 7-1-99, 3-23-00, 5-8-00, 5-2-02, 1-12-03, 2-22-04, 8-3-05, 7-5-06.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.010
 RULE TITLE: Disciplinary Guidelines
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 46, November 19, 2010 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee (JAPC). When changed, the following subsections shall read as follows:

1. Subparagraphs (2)(a) 2., 3., and 4.:

First Offense	Subsequent Offenses	
2. Attempting to renew a license by bribery or fraud.	2. Revocation of the license and payment of a \$10,000 fine.	
3. Obtaining or renewing a license by bribery or fraud.	3. Revocation of the license and payment of a \$10,000 fine.	
4. Obtaining or renewing a license through error of the Department of the Board.	4. Revocation.	

2. Subparagraphs (2)(b)1. and 2.:

1. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation and an administrative fine of \$10,000, or in the case of application for licensure, denial of licensure.	
2. Action taken against license by another jurisdiction relating to healthcare fraud in dollar amounts of \$5,000.00 or less.	2. From an administrative of \$10,000.00 and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.	2. From an administrative fine of \$10,000.00 and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

3. Paragraph (2)(c):

(c) Guilty of crime directly relating to practice or ability to practice. (Section 456.072(1)(c), F.S.); (Section 459.015(1)(c), F.S.)	(c) From reprimand to revocation or denial of license, and an administrative fine of \$1,000.00 to \$5,000.00.	(c) From probation to revocation or denial of the license, and an administrative fine of \$2,500.00 to \$5,000.00.
1. Involving a crime directly related to healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation, and an administrative fine of \$10,000, or in the case of application for licensure, denial of licensure.	2. From an administrative fine of \$10,000.00 and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.
2. Involving a crime directly related to healthcare fraud in dollar amounts of \$5,000.00 or less.	2. From an administrative fine of \$10,000.00 and a reprimand through suspension of the license, or in case of application for licensure, denial of licensure.	2. From an administrative fine of \$10,000.00 and suspension of the license, followed by a period of probation to revocation, or in case of application for licensure, denial of licensure.

4. In paragraphs (2)(d), (e), (f), and (g), the language regarding community service shall be deleted from the rule.

5. The citations in subparagraph (g)1., shall read as follows: (Section 456.013(7), F.S.); (Section 456.033, F.S.); (Section 456.072(1)(e), F.S.); (Section 456.072(1)(s), F.S.)

6. Subparagraphs (2)(h)1. and 2.:

1. Involving healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation and an administrative fine of \$10,000, or in the case of application for licensure, denial of licensure.	
2. Involving healthcare fraud in dollar amounts of \$5,000.00 or less.	2. From an administrative fine of \$10,000.00 and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.	2. From an administrative fine of \$10,000.00 and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

7. In paragraph (2)(i), the language regarding community service shall be deleted from the rule.

8. Paragraph (2)(j):

(j) Sexual misconduct. (Section 450.0141, F.S.); (Section 456.072(1)(v), F.S.); (Section 459.015(1)(l), F.S.)	(j) From probation to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(j) From suspension, to be followed by a period of probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
---	---	--

9. Paragraphs (2)(k), (l), and (m):

(k) Deceptive, untrue, or fraudulent representations in the practice of medicine. (Sections 456.072(1)(a), (m), F.S.); (Section 459.015(1)(m), F.S.)	(k) From a letter of concern to revocation, or denial of licensure, and an administrative fine of \$10,000.00.	(k) From probation or denial of licensure, and an administrative fine of \$10,000.00 to revocation.
l. Deceptive, untrue, or fraudulent representations in the practice of medicine relating to healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation and an administrative of \$10,000, or in the case of application for licensure, denial of licensure.	

2. Deceptive, untrue, or fraudulent representations in the practice of medicine relating to healthcare fraud in dollar amounts of \$5,000.00 or less.	2. From an administrative fine of \$10,000.00 and a reprimand through suspension of the license, or in the case of application for licensure, denial of licensure.	2. From an administrative fine of \$10,000.00 and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.
(l) Improper solicitation of patients. (Section 459.015(1)(n), F.S.)	(l) From an administrative fine ranging from \$1,000.00 to \$5,000.00, and a reprimand to probation, or denial of licensure.	(l) From suspension, to be followed by a period of probation, to revocation or denial of licensure, and an administrative fine from \$2,500.00 to \$5,000.00.
(m) Failure to keep legible written medical records. (Section 459.015(1)(o), F.S.)	(m) From a letter of concern to a reprimand, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(m) From a reprimand to suspension followed by probation and an administrative fine ranging from \$2,500.00 to \$5,000.00, or denial of licensure.
1. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts in excess of \$5,000.00.	1. Revocation and an administrative fine of \$10,000, or in the case of application for licensure, denial of licensure.	
2. Failure to keep legible written medical records relating to healthcare fraud in dollar amounts of \$5,000.00 or less.	2. An administrative fine of \$10,000.00, and a reprimand to suspension of the license, or in the case of application for licensure, denial of licensure.	2. An administrative fine of \$10,000.00, and suspension of the license, followed by a period of probation to revocation, or in the case of application for licensure, denial of licensure.

12. In paragraphs (2)(n), (o), (p), and (q), the language regarding community service shall be deleted from the rule.

13. Paragraph (2)(r):

(r) Performing of experimental treatment without informed consent. (Section 459.015(1)(y), F.S.)	(r) From a letter of concern to suspension, to be followed by a period of probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(r) From suspension to be followed by a period of probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
--	--	---

14. In paragraph (2)(t), the language regarding community service shall be deleted from the rule.

15. Subparagraph (2)(u)2.:

2. Violation of an order of the Board.	2. From a reprimand and an administrative fine of \$1,000.00 to a reprimand and an administrative fine of \$5,000.00.	2. From a reprimand and an administrative fine of \$2,500.00 to a reprimand and an administrative fine of \$5,000.00 and probation.
--	---	---

16. In paragraph (2)(v), the language regarding community service shall be deleted from the rule.

17. Paragraph (2)(w):

(w) Aiding an unlawful abortion. (Section 459.015(1)(dd), F.S.)	(w) From probation to revocation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(w) From suspension, to be followed by a period of probation, to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
---	---	---

18. In paragraph (2)(x), the language regarding community service shall be deleted from the rule.

19. Paragraphs (2)(y) and (z):

(y) Improper use of substances for muscle building or enhancement of athletic performance. (Section 459.015(1)(ii), F.S.)	(y) From a reprimand to suspension, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$5,000.00.	(y) From suspension to be followed by a period of probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
(z) Use of amygdaline (laetrile). (Section 458.331(1)(ff), F.S.)	(z) From a reprimand to probation, or denial of licensure, and an administrative fine ranging from \$1,000.00 to \$2,500.00.	(z) From suspension to be followed by a period of probation to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.

20. In paragraphs (2)(aa), (bb), and (cc), the language regarding community service shall be deleted from the rule.

21. Paragraph (2)(ee):

(ee) Theft or reproduction of an examination. (Section 456.018, F.S.)	(ee) Revocation or denial of licensure.	
---	---	--

22. Paragraphs (2)(kk) and (ll):

(kk) Performing health care services on the wrong patient, wrong site, wrong procedure. (Section 456.072(1)(bb), F.S.)	(kk) From a letter of concern, a minimum of five (5) hours of risk management education, and one (1) hour lecture on wrong-site surgery in the State of Florida, and a \$1,000 fine to a \$2,500.00 fine to a reprimand and probation and an administrative fine ranging from \$1,000.00 to \$2,500.00.	(kk) From a reprimand and probation to revocation and an administrative fine from \$2,500.00 to \$5,000.00.
(ll) Leaving a foreign body in a patient. (Section 456.072(1)(cc), F.S.)	(ll) From a \$1,000.00 to a \$5,000.00 fine, a letter of concern, a minimum of five (5) hours of risk management education, and a one hour lecture to the staff of a Florida licensed healthcare facility on retained foreign body objects to revocation.	(ll) From a \$7,500.00 fine, a reprimand and probation, or denial to revocation.

23. paragraph (2)(oo):

(oo) Engaging in a pattern of practice when prescribing medicinal drugs or controlled substances which demonstrates a lack of reasonable skill or safety to patients. (456.072(1)(gg), F.S.)	(oo) From reprimand to probation, and an administrative fine ranging from \$1,000.00 to \$5,000.00, or denial of licensure.	(oo) From probation, to revocation or denial of licensure, and an administrative fine ranging from \$2,500.00 to \$5,000.00.
--	---	--

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-3.007
 RULE TITLE: Active Status License Fee
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 51, December 23, 2010 issue of the Florida Administrative Weekly has been withdrawn

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-2.003
 RULE TITLE: Requirements for Continuing Education
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated October 27, 2011. The correction is as follows:

The STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE NO.: 64B33-2.005
 RULE TITLE: Requirements for Reactivation of an Inactive License
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated October 27, 2011. The correction is as follows:

The STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

Law Implemented will be corrected to add section 468.711, Florida Statutes.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Athletic Training/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

RULE NO.: 69B-221.155
 RULE TITLE: Forms for Limited Surety (Bail Bond) Agents

NOTICE OF CORRECTION AND NOTICE OF CHANGE

Notice is hereby given that the following correction has been made to the above referenced rule in Vol. 37, No. 37, September 16, 2011 issue of the Florida Administrative Weekly. The following is added to the end of the SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed rule will not require legislative ratification based on the following information. The proposed rule adopts four forms to be used by the bail bond industry to provide information required by Sections 648.34(2)(d), 648.355(1), 648.382, 648.383(1), and 648.384(1), F.S., as part of the licensing process. The adoption of this rule and forms will allow the submission of this required information to be uniform and allow the Department to process the information more efficiently than information that is received in a non-standard format. Based upon the economic analysis conducted by the Department and past experiences with rules of this nature, there will be no adverse effect on

small businesses, economic growth, private-sector job creation, employment or investment in excess of the threshold requiring legislative ratification. There will also be no increase in regulatory costs in excess of the threshold requiring legislative ratification.

Notice is also given that the Department has made changes to Form DFS-H2-1500, Limited Surety Agent, Professional Bail Bond Agent, Sworn Statement, and Form DFS-H2-1544, Appointing Form, to address comments by the Joint Administrative Procedures Committee. The changes added written declarations pursuant to Section 92.525, F.S., corrected typographical errors, and clarified a question on the form. Copies of the revised forms can be obtained by contacting Ray Wenger at Ray.Wenger@MyFloridaCFO.com.

**Section IV
 Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER11-62
 RULE TITLE: Replacement of Obsolete Emergency Rules

SUMMARY: This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER11-62 Replacement of Obsolete Emergency Rules. The following Department of the Lottery emergency rules relating to Lottery games and promotions are being replaced because the games and promotions have concluded and the provisions of the rule are obsolete. This rule shall replace the following rules: 53ER09-9, 53ER09-17, 53ER10-09, 53ER10-22, 53ER10-24, 53ER10-29, 53ER10-30, 53ER10-33, 53ER10-34, 53ER10-35, 53ER10-36, 53ER10-38, 53ER10-41, 53ER10-42, 53ER10-43, 53ER10-61, F.A.C.

Rulemaking Authority 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 11-10-11, Replaces 53ER09-9, 53ER09-17, 53ER10-09, 53ER10-22, 53ER10-24, 53ER10-29, 53ER10-30, 53ER10-33, 53ER10-34, 53ER10-35, 53ER10-36, 53ER10-38, 53ER10-41, 53ER10-42, 53ER10-43, 53ER10-61, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 10, 2011

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that on November 15, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from DeFuniak Springs Police Department on behalf of 20 officers for the 2008 (7/1/2006 – 6/30/2008) and 2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officers at issue either are missing their appropriate CJSTC 86A forms or they were requalified by non-CJSTC-certified firearms instructors. Petitioner states that the officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement simply because a non-CJSTC-certified firearms instructor supervised mandatory firearms requalification for some of the officers and the appropriate CJSTC forms were not retained for other officers during the 2008 and 2010 mandatory firearms requalification reporting cycles.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on November 7, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Hendry County Sheriff's Office on behalf of one officer for the 2010 reporting period (7/1/2008 – 6/30/2010). Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officer at issue did successfully complete the course of fire, however, the instructor supervising the requalifications was not a CJSTC-certified firearms instructor. Petitioner states that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the

requirement simply because a non-CJSTC-certified firearms instructor supervised the 2010 mandatory firearms requalification for the officer.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on November 14, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Hendry County Sheriff's Office on behalf of one officer for the 2010 reporting period (7/1/2008 – 6/30/2010). Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officer at issue did successfully complete the course of fire, however, the instructor supervising the requalifications was not a CJSTC-certified firearms instructor. Petitioner states that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because a non-CJSTC-certified firearms instructor supervised the 2010 mandatory firearms requalification for the officer.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on November 14, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Jupiter Island Public Safety Department on behalf of two officers for the 2008-2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officers at issue did successfully complete the course of fire, however, the instructor supervising the requalifications was a CJSTC-certified firearms instructor at the time of the requalification and did sign his own CJSTC 86A form. The other officer has no CJSTC 86A form on file for the 2010 reporting period, but did complete the mandatory course of fire. Petitioner states that these officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate

the principles of fairness to fail to recognize that the officers did successfully complete the requirement simply because the firearms instructor signed his own CJSTC 86A form and the other officer has no 86A form on file for the 2010 reporting cycle.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on November 11, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from the Parker Police Department, on behalf of 10 officers for the 2008 (7/1/2006 – 6/30/2008) reporting period and one officer for the 2010 reporting period (7/1/2008 – 6/30/2010). Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officers at issue did successfully complete the course of fire, however, the instructors supervising the requalifications were not CJSTC-certified firearms instructors. Petitioner states that the officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement simply because a non-CJSTC-certified firearms instructor supervised the 2008 requalifications for 10 officers and the 2010 requalification for one of the 10 officers.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on November 15, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Punta Gorda Police Department on behalf of one officer for the 2008 (7/1/2006 – 6/30/2008) and 2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officer at issue is a CJSTC-certified firearms instructor. The officer supervised his own requalification shoots and signed his own CJSTC 86A form. Petitioner states that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of

fairness to fail to recognize that the officer did successfully complete the requirement simply because he supervised his own requalification shoots and signed his own CJSTC 86A form.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on November 2, 2011, the South Florida Water Management District (District), received a petition for waiver from the Florida Department of Transportation, Application No. 11-1102-1, for utilization of Works or Lands of the District known as the C-100C Canal, Miami-Dade County, for a proposed guardrail installation. The proposed guardrail is located within the south right of way of C-100C on the east side of the northbound land of U.S. Highway 1 (S.R. 5), Section 21, Township 55 South, Range 40 East. The petition seeks relief from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which govern the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank and within the District's designated equipment staging areas located at all bridges and at pile-supported utility crossings within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN that on November 2, 2011, the South Florida Water Management District (District), received a petition for waiver from the Florida Department of Transportation, Application No. 11-1102-2, for utilization of Works or Lands of the District known as the C-100 Canal, Miami-Dade County, for a proposed guardrail installation. The proposed guardrail is located within the south right of way of C-100 on the east side of the northbound lane of US Highway 1 (S.R. 5), Section 28, Township 55 South, Range 40 East. The petition seeks relief from subsections 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which govern the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank and within the District's designated equipment staging areas located at all bridges and at pile-supported utility crossings within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of the notice. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 10, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Drury Inn & Suites, filed October 25, 2011, and advertised in Vol. 37, No 44, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.20.9 and 2.24.2 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a coated steel belt because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-361).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Florida Gulf Coast University, filed October 17, 2011, and advertised in Vol. 37, No. 43, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4 and 2.24.2.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires 9.5 mm steel rope and a metallic sheave because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-350).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Inlet Harbor Club, filed September 2, 2011, and advertised in Vol. 37, No. 37, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4, 3.10.4(t) and 3.3.2 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings, keyed stop switch and platform guards until July 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-295).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Ormond in the Pines, filed September 8, 2011, and advertised in Vol. 37, No. 38, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 211.3c ASME A17.1, 1987 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires call cancel and hold buttons until August 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-305).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Acapulco Inn, filed September 8, 2011, and advertised in Vol. 37, No. 38, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.3.2, 3.4.5 and 3.9.1 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2,

Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards, car lighting and normal terminal stopping devices until August 6, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-306).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from First National Condo, filed September 9, 2011, and advertised in Vol. 37, No. 38, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until May 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-309).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Shands Lake Shore Regional Medical Center, filed September 20, 2011, and advertised in Vol. 37, No. 40, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 3.11.1(a)(2) and 2.7.4 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, two-way communication and restricted door openings until December 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-320).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from Porta Bella Yacht and Tennis Club, filed September 22, 2011, and advertised in Vol. 37, No. 40, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until July 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-322).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Division issued an order. The Final Order was in response to a Petition for Variance from USF Health CAMLS, filed September 23, 2011, and advertised in Vol. 37, No. 40, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.20.9 and 2.24.2 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a coated steel belt because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-324).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Columbia Hospital, filed July 12, 2011, and advertised in Vol. 37, No. 30 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies

the Petitioner a variance because the Petitioner has failed to meet its burden by not providing the Division with the specific rule adopted by paragraph 61C-5.001(1)(a), F.A.C. for which they are requesting the variance from (VW 2011-233).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Yacht Haven Condo Assoc., filed June 13, 2011, and advertised in Vol. 37, No. 26 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance because the Petitioner has failed to meet its burden by not providing the Division with the specific rule adopted by paragraph 61C-5.001(1)(a), F.A.C., for which they are requesting the variance from (VW 2011-204).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Department issued a Final Order that was in response to a Petition for Variance from College Studios, filed July 28, 2011, and advertised in Vol. 37, No. 32 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner failed to provide the information requested by the Division (VW 2011-248).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, 850-488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on November 9, 2011, the Department issued a Final Order that was in response to a Petition for Variance from First Christian Towers, filed July 12, 2011, and advertised in Vol. 37, No. 29 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance because the Petitioner has failed to meet its burden by not providing the Division with the specific

rule adopted by paragraph 61C-5.001(1)(a), F.A.C., for which they are requesting the variance from (VW 2011-226 & VW 2011-227).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN that on November 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for John Knox Village. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.1.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that regulates hoistway enclosures which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-372).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on November 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Riverside National Bank. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-373).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on November 4, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Fifth Third Bank. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the

publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-374).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on November 4, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bay Terrace. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-377).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on November 4, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for NW Florida Community Hospital. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-378).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on November 7, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for WPT Parking Garage. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.18.5.1, 2.20.4 and 2.24.2.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires minimum 9.5 mm steel rope and a metallic sheave which poses a significant economic/financial hardship. Any interested person may file

comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-379).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on November 14, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Venetian Bayview Condo Assoc., Inc. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-380).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on October 19, 2011 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (6), Florida Administrative Code, from Salim Lunch Truck, Orlando, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 37, No. 44 on November 4, 2011. The Order for this Petition was signed on November 10, 2011, and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries

and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on October 20, 2011, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsection 61C-4.010(1), (6), Florida Administrative Code, from Silva Catering, Hialeah, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 37, No. 44 on November 4, 2011. The Order for this Petition was signed on November 10, 2011, and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN that on November 4, 2011, the Division of Pari-Mutuel Wagering, Department of Business & Professional Regulation, received a petition for emergency variance or waiver from Investment Corporation of Palm Beach, Petitioner, in DBPR Case No. 2011054137 (VW 2011-376). Petitioner is a pari-mutuel facility and cardroom operator licensed pursuant to Chapter 550 and Section 849.086, Florida Statutes, whose address is 1111 North Congress Avenue, West Palm Beach, FL 33409. Petitioner seeks a two-year waiver of the requirements of subsections 61D-11.016(1) & 61D-11.025(4)-(5), Florida Administrative Code (F.A.C.), that specify, respectively, cardroom poker table and surveillance requirements for certain high profile poker tournaments (approximately four per year), including its annual World Series of Poker tournament. For its high profile poker tournaments Petitioner desires to use up to 16 additional temporary poker tournament tables which do not have the rake circles, imprest trays, tip boxes, and drop box slots which subsection 61D-11.016(1), F.A.C., requires for regular, non-tournament play, as there is no cash used in poker tournaments and these table requirements are, therefore, unnecessary. Petitioner also seeks a waiver or variance from subsections 61D-11.025(4)-(5), F.A.C., that requires fixed cameras over each poker table used in regular, non-tournament play. Again, as there is no cash used in poker tournaments, security considerations would be fully served by having a PTZ surveillance camera for every four temporary tournament poker tables in lieu of a fixed camera over each table. Without a variance or waiver from these two cardroom rule requirements, the additional cost to Petitioner to run its poker tournaments could be up to \$12,800 additional for poker tables and \$7,500 for surveillance. This waiver or variance is requested to be effective for a duration of two years from the date of any division final order granting such. Any person whose substantial interests may be affected by a waiver on the subject matter of the Petition may file a petition to intervene within five days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

The Board of Professional Engineers hereby gives notice that it has received a Petition for Variance or Waiver, filed on October 21, 2011, by Alan A. Pang, P.E., Ph.D. The Petitioner seeks the Variance or Waiver from subsection 61G15-20.007(3), F.A.C., with respect to the requirement that each applicant for a Florida Engineers license must demonstrate the completion of a substantial equivalency for the general education course requirements.

The Board will address this Petition at its next meeting.

Comments on this petition should be filed with the: Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, FL 32303-5268, within 14 days of publication of this notice.

For a copy of the petition, contact: Carrie Flynn, Executive Director, Board of Professional Engineers, at the above address or telephone (850)521-0500.

NOTICE IS HEREBY GIVEN that on November 1, 2011, the Board of Accountancy, received a petition for Elzbieta Bijlani, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection hereby gives notice on October 31, 2011, the Department issued an order granting a variance. This Order grants a variance under Section 120.542, F.S., to Collier County regarding File No. CO-922 V. The variance is related to a Coastal Construction Control Line permit application to construct new beach structures including a viewing deck, concessions, and restroom facility at Vanderbilt Beach Road Park. A petition for variance was received on June 24, 2011. Notice of receipt of petition requesting variance was published in the F.A.W. Vol. 37, No. 27, on July 8, 2011. No public comment was received. The property is located at: 100 Vanderbilt Beach Road (Vanderbilt Beach Road Park), Vanderbilt Beach, Florida. This Order grants a variance from subsection 62B-33.005(8), F.A.C., which requires that major structures be located a sufficient distance landward of the beach and frontal dune. The petition was approved because the petitioner was able to demonstrate that strict adherence to the rule would create a substantial hardship and that the underlying statute's purpose will be or has been achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail: rosaline.beckham@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on November 7, 2011, the Board of Medicine, received a petition for waiver or variance filed by Janice D. Quinones, M.D., from paragraph

64B8-4.009(1)(c), F.A.C., with regard to certain requirements with regard to her application for practice in an area of critical need. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on November 8, 2011, the Board of Pharmacy, received a petition for Arijit Aichbhaumik, on behalf of WellDyne Rx, Inc., seeking a variance or waiver of Rule 64B16-28.141, Florida Administrative Code, which defines "Automated pharmacy system" as a mechanical system, located within or adjacent to the prescription department, that performs operations or activities, other than compounding or administration, relative to storage, packaging, dispensing, or distribution of medication, and which collects, controls, and maintains all transaction information.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254. Comments on this petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

The Department of Health hereby gives notice:

Petitioner's Name: St. Petersburg College

Date Petition Filed: October 3, 2011

Rule No: 64J-1.020

Nature of the rule for which the variance or waiver is sought: The rule provides that paramedic training programs may allow up to 20% of the field internship experience to be done aboard an advanced life support (ALS) permitted vehicle other than an ambulance.

Date Petition Published in the Florida Administrative Weekly: October 14, 2011.

General Basis for Agency Decision: The Department determined to grant Petitioner's petition for variance of the rule because the school would suffer a substantial hardship and the underlying purpose of the statute would be achieved. Petitioner will only count field experience when the call begins upon an ALS vehicle other than an ambulance followed by a ride with a live patient in an ambulance, which will then count as part of the required 80% full ambulance field internship experience for training purposes.

A copy of the Order or additional information may be obtained by contacting: Rebecca Cash, Training Coordinator, Department of Health, Bureau of EMS, 4052 Bald Cypress Way, Bin #C-18, Tallahassee, FL 32399-1738.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that on September 26, 2011, the Division of Funeral, Cemetery and Consumer Services, received a petition for William J. Johnson, seeking a variance or waiver of continuing education requirements pursuant to Section 470.015, Florida Statutes, and for reinstatement of his direct disposer license due to hardship or disability.

A copy of the Petition for Variance or Waiver may be obtained by contacting: LaTonya Bryant-Parker, Administrative Assistant III, Division of Funeral, Cemetery and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361, (850)413-3039. Comments on this petition should be filed with the Division of Funeral, Cemetery and Consumer Services.

Section VI**Notices of Meetings, Workshops and Public Hearings****DEPARTMENT OF STATE**

The **Division of Historical Resources**, Bureau of Historic Preservation announces a workshop to which all persons are invited.

DATE AND TIME: December 2, 2011, 10:00 a.m. – 11:30 a.m.

PLACE: Webinar via WebEx (register online at www.flheritage.com/grants)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The webinar will provide a Power Point presentation on the application review process, a review of the application attachments, a demonstration of the Online Review System and review of a sample application.

Other topics to be covered include evaluation criteria, applicant administrative capability, meeting procedures, conflict of interest, staff recommendations, and the voting and ranking procedures. The webinar will conclude with a question and answer session.

A copy of the agenda may be obtained by contacting: Historic Preservation Grants Staff, by phone: 1(800)847-PAST or (850)245-6333, by Fax: (850)245-6437, by mail: Bureau of Historic Preservation, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 or by email: bhpgrants@flheritage.com. It is also available online at www.flheritage.com/grants.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Historic Preservation Grants Staff (see contact

information above). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Historic Preservation Grants Staff (see contact information above) or visit www.flheritage.com/grants.

The Florida **Department of State, Division of Library and Information Services** announces a State Library Council Meeting via conference call. All persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, 9:00 a.m. – 10:00 a.m. (EST)

PLACE: Archives Conference Room, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will review and discuss programs and issues related to the Division of Library and Information Services.

For additional information, contact: Judith Ring, Division Director, (850)245-6600.

Any person requiring special accommodations or assistance due to a disability or physical impairment should contact the agency at least five days prior to the meeting by calling: (850)245-6600 or TDD (850)922-4085.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida State Fair Authority**, Marketing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2011, 10:00 a.m.

PLACE: Florida State Fairground, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Sonia Velez, (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 hours before the workshop/meeting by contacting: Sonia Velez, (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Sonia Velez, (813)627-4221.

The **Florida State Fair Authority**, Finance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2011, 11:00 a.m.

PLACE: Florida State Fairground, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Sonia Velez, (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 hours before the workshop/meeting by contacting: Sonia Velez, (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Sonia Velez, (813)627-4221.

The **Florida State Fair Authority Board** announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2011, 1:00 p.m.

PLACE: Florida State Fairground, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old & New Business.

A copy of the agenda may be obtained by contacting: Sonia Velez, (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 hours before the workshop/meeting by contacting: Sonia Velez, (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Sonia Velez, (813)627-4221.

The Florida **Agriculture and Horse Park Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 6, 2011, 5:00 p.m.

PLACE: Holiday Inn and Suites Ocala, Ocala Conference and Meeting Center, 3600 S.W. 38th Avenue, Ocala, Florida 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will be meeting to discuss general business.

A copy of the agenda may be obtained by contacting: CJ Marcello, Executive Director, (352)307-6699, ext. 5 or email: exedir@flhorsepark.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: CJ Marcello, Executive Director, (352)307-6699, ext. 5 or email: exedir@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2011, 9:00 a.m.

PLACE: Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399, (850)617-7917

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: The Pesticide Registration Section, (850)617-7940 or from the PREC Web Site at: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)617-7940.

The **Subcommittee on Managed Marshes** announces a public meeting to which all persons are invited.

DATE AND TIME: December 7, 2011, 9:30 a.m.

PLACE: Sam's House at the Pine Island Conservation Area, 6195 North Tropical Trail, Merritt Island, Florida 32953, (321)449-4720

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly business meeting and field trip.

For more information, you may contact: Mr. Doug Carlson, Chairman, (772)562-2393, doug.carlson@irmosquito2.org.

The Florida **Department of Agriculture and Consumer Services**, Agricultural Water Policy Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 9, 2011, 10:00 a.m. – 12:00 Noon

PLACE: The Florida Farm Bureau, 5700 S.W. 34th Street, Gainesville, FL 32608, (352)378-8100

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the inaugural meeting of the Commissioner's Agricultural Water Policy Advisory Council. Topics to be discussed include Numeric Nutrient Criteria and Agricultural Water Supply.

A copy of the agenda may be obtained by contacting: Office of Agricultural Water Policy, 1203 Governors Square Blvd., Ste. 200, Tallahassee, FL 32301, Attn: Brenda Howard, (850)617-1703 or Darrell Smith, (850)617-1734.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brenda Howard, (850)617-1703 or Darrell Smith, (850)617-1734. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

The Florida **Rehabilitation Council for the Blind** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 2, 2011, 9:00 a.m.

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ad Hoc Committee to create a Vision Statement for the Council to consider.

For more information, you may contact: Phyllis Dill, AAIL, (850)245-0392, phyllis.dill@dbs.fldoe.org.

The **Articulation Coordinating Committee** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 8, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Code: 2459544

GENERAL SUBJECT MATTER TO BE CONSIDERED: Articulation issues regarding secondary and postsecondary education.

A copy of the agenda may be obtained by contacting: The Office of Articulation, 325 W. Gaines St., Ste 1401, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Matthew Bouck at (850)245-9544, matthew.bouck@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The State **Board of Education** announces a workshop to which all persons are invited.

DATE AND TIME: December 5, 2011, 9:00 a.m.

PLACE: Hillsborough County School Board Office, 901 East Kennedy Blvd., Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of additional information and research relating to setting achievement levels and cut scores as a part of Florida's accountability and assessment system.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org or by visiting the Department's website at: <http://www.fldoe.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lynn Abbott at (850)245-9661 or email: lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATES AND TIMES: A Records Retention and Office Needs Meeting, December 7, 2011, 1:30 p.m. or as soon thereafter as can be heard; A Teacher Hearing Panel, December 8, 2011, 9:00 a.m. or as soon thereafter as can be heard; A Teacher Hearing Panel, 1:30 p.m. or as soon thereafter as can be heard; An Administrator Hearing Panel, December 9, 2011, 9:00 a.m. or as soon thereafter as can be heard; A Business Meeting, 9:45 a.m. or as soon thereafter as can be heard

PLACE: First District Court of Appeals, 2000 Drayton Drive, Tallahassee, Florida 32399, (850)488-6151

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Kathleen M. Richards at (850)245-0455.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Lisa Forbess or Kathleen M. Richards at (850)245-0455.

The **University of North Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2011, 11:00 a.m.

PLACE: Social Sciences Building, Dean's Conference Room, 51/3201, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: There will be a second "Art in State Buildings" image review meeting for the University of North Florida's new Biological Sciences Building. The purpose of the meeting will be to select finalist to provide artwork for the new building.

For additional information and agenda, contact: Elizabeth Jones at (904)620-2027.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: UNF Disability Resource Center, (904)620-2769. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 9, 2011, 9:00 a.m.

PLACE: Center for Learning Development, Moore Hall, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by contacting: Frances Keaton, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2210 or keatonf@fsdb.k12.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Frances Keaton, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2210 or keatonf@fsdb.k12.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Frances Keaton, FSDB, 207 N. San Marco Avenue, St. Augustine, FL 32084, (904)827-2210 or keatonf@fsdb.k12.fl.us.

The **Florida State College at Jacksonville District**, Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION:

DATE AND TIME: December 6, 2011, 12:00 Noon – 2:00 p.m.

PLACE: Betty P. Cook Nassau Center, 76346 William Burgess Blvd., Room T-117, Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: College Readiness (Joint meeting with Nassau County School Board).

REGULAR MONTHLY BOARD MEETING:

DATE AND TIME: December 6, 2011, 2:00 p.m. – 3:00 p.m.

PLACE: Betty P. Cook Nassau Center, 76346 William Burgess Blvd., Room T-126, Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

EXECUTIVE SESSION:

DATE AND TIME: December 6, 2011, 3:00 p.m. – 5:00 p.m.

PLACE: Betty P. Cook Nassau Center, 76346 William Burgess Blvd., Room T-108, Yulee, FL 32097

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Session and Board discussion regarding the Faculty Collective Bargaining Agreement and related labor matters pursuant to Section 447.605, Florida Statutes (2011). Pursuant to Section 447.605, Florida Statutes (2011), the Executive Session is closed to the public and exempt from the requirements of Section 286.011, Florida Statutes (2011). Documents prepared for the Executive Session pertaining to faculty collective bargaining are confidential and exempt from Section 119.07(1), Florida Statutes (2011).

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, November 29, 2011, and copies will be provided upon written

request and the payment of approved duplicating charges. Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meetings should be filed in writing with the College President, Florida State College at Jacksonville, on or before December 6, 2011. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting. Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made. Through the months of December 2011 and January 2012, the Board will hold informal meetings each Thursday from noon to 4:00 p.m. at the Administrative Offices, Room 403A, for the purpose of discussing College business as appropriate. The College does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

FLORIDA STATE COLLEGE AT JACKSONVILLE
 Dr. Steven R. Wallace
 College President

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission**, "The Commission" announces a public meeting to which all persons are invited.

DATES AND TIME: December 5-6, 2011, 9:00 a.m. – completion

PLACE: Gainesville Hilton Hotel, 1714 S.W. 34th Street, Gainesville, Florida, (352)371-3600

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Monday, December 5, 2011

9:00 a.m. Hurricane Research Advisory Committee

11:00 p.m. Asphalt Shingle Work Group

1:00 p.m. Threshold Building Renovation Work Group

Tuesday, December 6, 2011

9:00 a.m. Plenary session meeting of the Florida Building Commission

Review and Approve Agenda

Review and Approve the October 11, 2011 Meeting Minutes and Facilitator's Report

Chair's Discussion Issues and Recommendations

Resolution Commending Raul L. Rodriguez, AIA for Chairmanship of the Commission

Update of the Commission Workplan

Accessibility Waiver Applications:

Sherbrooke Apartments, Inc., 901 Collins Avenue, Miami Beach, FL

Boys and Girls Club of Palm Beach, 905 Drexel Road, West Palm Beach, FL

Loews Miami Beach Hotel, 1601 Collins Avenue, Miami Beach, FL

The Coca Cola Company, 2501 West Orange Avenue, Apopka, FL

Family Fun Concepts LLC, 5891 Lyons Road, Coconut Creek, FL

Sanctuary 7 Pilates, 1700 S.W. 3rd Avenue, Miami, FL

Wave Hotel, 350 Ocean Drive, Miami Beach, FL

Alan Wasserstein, 1221, 1225, 1225A Collins Avenue, Miami Beach, FL

Barton G – The Restaurant, 1427 West Avenue, Miami Beach, FL

Applications for Product and Entity Approval; Revocations

Applications for Accreditor and Course Approval

Binding Interpretations

#71 by Michael Vaughn

Petitions for Declaratory Statement:

Second Hearing-

First Hearing-

DS 2011-085 by Dan Johnson of Swim, Incorporated

Legal and Legislative Issues

Committee Reports and Recommendations:

Asphalt Shingle Work Group

Education POC

Energy TAC

Hurricane Research Advisory Committee

Plumbing TAC

Product Approval POC

Swimming Pool Sub-committee to Plumbing TAC

Threshold Building Renovation Work Group

Florida Accessibility Code Certification by U.S. Department of Justice

2013 Florida Building Code Update

Code Update Process Changes

BCIS Update Rule Proceeding

Selection of the 2012 International Codes as foundation codes

Energy Simulation Tool Approval Technical Assistance Manual

Report to 2012 Legislature

Commission Member Comments and Issues

General Public Comment

Adjourn Plenary Session

A copy of the agenda may be obtained by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or call: (850)487-1824 or Fax: (850)414-8436 or see the Commission's website: www.floridabuilding.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mr. Rick Dixon, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436.

The Florida **Department of Economic Opportunity (Formerly Department of Community affairs)** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, January 10, 2012, 10:00 a.m.

PLACE: 640 South Main Street, Conference Room #2, Labelle, Florida 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Economic Opportunity (DEO) is seeking a non-profit entity to administer the Community Services Block Grant (CSBG) in Hendry County, Florida. Pursuant to a notice in the October 28, 2011, Florida Administrative Weekly regarding agencies interested in becoming the CSBG provider for Hendry County, two letters of interest were received. The purpose of this hearing is to afford these agencies an opportunity to present to all interested parties in the community their qualifications and proposal for providing services if selected. The two agencies are:

Immokalee Multicultural Multipurpose Community Action Agency, Incorporated

The Agricultural and Labor Program, Incorporated

In order to be designated to serve as the eligible entity, an entity must agree to add additional members to its board to ensure adequate representation in compliance with 42 U.S.C. 9909 and 9910 and Rule Chapter 9B-22.011, Florida Administrative Code. Special consideration shall be given to an organization with demonstrated effectiveness in providing a broad range of services designed to eliminate poverty and foster self-sufficiency. Priority shall be given to existing CSBG eligible entities in good standing with DEO that are providing related services in the specified county or in areas contiguous to or within reasonable proximity to the specified county.

Selection will be based on the entity's experience and performance in related federal or state programs in assisting low-income persons in the area to be served, and the entity's capacity to undertake a timely and effective program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; and (4) the ability to maintain compliance with administrative and financial management requirements.

ACTIONS TO BE TAKEN: After this hearing, The DEO will review the applications received and make a decision regarding each entity's eligibility to provide program services in Hendry County. A recommendation for the selected entity will then be prepared by DEO staff for subsequent consideration and approval or disapproval by DEO's Executive Secretary and the Governor.

A copy of the agenda may be obtained by contacting: Ms. Hilda Frazier, Manager, Florida Department of Economic Opportunity, Division of Community Development, Office of Housing and Community Development, Community Assistance Section, 107 East Madison Street, MSC-400, Tallahassee, Florida 32399-6508, (850)717-8450, Fax: (850)488-2488, Email: hilda.frazier@deo.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Department of Economic Opportunity, (850)717-8450 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department of Economic Opportunity using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: December 6, 2011, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The date, time, or place of a Cabinet meeting is subject to change. Please refer to the Cabinet Agenda posted to the Department's Internet site at <http://dor.myflorida.com/dor/rules> prior to attending a meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to the rules listed below. These proposed rule amendments were noticed in the September 30, 2011 (Vol. 37, No. 39, pp. 2971-2985 and 2988-3003), Florida Administrative Weekly. Notices of Change are published in this edition of the Florida Administrative Weekly for Rule Chapter 12B-5, F.A.C. (Fuel and Pollutant Taxes), and Rule Chapter 12C-1, F.A.C. (Corporate Income Tax).

Rule 12-3.0015, F.A.C. – Interest Applicable to Unpaid Tax Liabilities or Amounts Not Timely Refunded – (General; Procedure)

Rule 12-6.0015, F.A.C. – Public Use Forms – (Informal Protest and Appeal Procedure)

Rule 12-16.003, F.A.C. – Form of Consent Agreements – (Consent Agreements)

Rule 12-18.001, F.A.C. – Authorization for Compensation

Rule 12-18.004, F.A.C. – Submission of Information and Claims for Compensation – (Compensation for Tax Information)

Rule 12-22.005, F.A.C. – Disclosure Procedures

Rule 12-22.007, F.A.C. – Registration Information Sharing and Exchange Program – (Confidentiality and Disclosure of Tax Information)

Rule 12-29.002, F.A.C. – Florida Tax Credit Scholarship Program; Participation; Allocation; Carryforward; Rescindment

Rule 12-29.003, F.A.C. – Florida Tax Credit Scholarship Program; Applications – (Multitax Credits)

Rule 12A-1.0142, F.A.C. – Refund of Tax Paid on Purchases of Equipment, Machinery, and Other Materials for Renewable Energy Technologies

Rule 12A-1.097, F.A.C. – Public Use Forms

Rule 12A-1.107, F.A.C. – Enterprise Zone and Florida Neighborhood Revitalization Programs – (Sales and Use Tax)

Rule 12A-16.008, F.A.C. – Public Use Forms – (Rental Car Surcharge)

Rule 12A-19.041, F.A.C. – Sales of Communications Services to a Residential Household

Rule 12A-19.100, F.A.C. – Public Use Forms – (Communications Services Tax)

Rule 12B-5.030, F.A.C. – Importers

Rule 12B-5.040, F.A.C. – Carriers

Rule 12B-5.050, F.A.C. – Terminal Suppliers

Rule 12B-5.060, F.A.C. – Wholesalers

Rule 12B-5.070, F.A.C. – Terminal Operators

Rule 12B-5.080, F.A.C. – Exporters

Rule 12B-5.090, F.A.C. – Local Government Users

Rule 12B-5.100, F.A.C. – Mass Transit Systems

Rule 12B-5.110, F.A.C. – Blenders

Rule 12B-5.121, F.A.C. – Temporary Licenses Issued Under a Declared Emergency

Rule 12B-5.130, F.A.C. – Refunds

Rule 12B-5.150, F.A.C. – Public Use Forms

Rule 12B-5.200, F.A.C. – Retailers of Alternative Fuel

Rule 12B-5.400, F.A.C. – Producers and Importers of Pollutants – (Fuel and Pollutant Taxes)

Rule 12B-7.008, F.A.C. – Public Use Forms

Rule 12B-7.026, F.A.C. – Public Use Forms – (Severance Taxes, Fees and Surcharges)

Rule 12B-8.001, F.A.C. – Premium Tax; Rate and Computation

Rule 12B-8.0012, F.A.C. – Insurance Policy Surcharge; Rate and Computation

Rule 12B-8.003, F.A.C. – Tax Statement; Overpayments

Rule 12B-8.006, F.A.C. – State Fire Marshal Regulatory Assessment and Surcharge; Levy and Amount

Rule 12B-8.007, F.A.C. – Deposit of Certain Tax Receipts; Refund of Improper Payments

Rule 12B-8.016, F.A.C. – Retaliatory Provisions – (Insurance Premium Taxes, Fees and Surcharges)

Rule 12C-1.003, F.A.C. – Definitions

Rule 12C-1.051, F.A.C. – Forms

Rule 12C-1.343, F.A.C. – Interest Computations – (Corporate Income Tax)

Rule 12C-2.0115, F.A.C. – Public Use Forms – (Intangible Tax on Government Leasehold Estates)

Rule 12C-3.0015, F.A.C. – Documents, Extensions, and Due Dates for Filing

Rule 12C-3.008, F.A.C. – Public Use Forms – (Estate Tax)

A copy of the agenda and the meeting materials may be obtained by going to the Department's Internet site: <http://dor.myflorida.com/dor/rules> or by contacting: Tammy Miller at (850)617-8346.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Tammy Miller at (850)617-8346. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** (FDOT) announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, December 6, 2011, Open House, 5:30 p.m. – 7:30 p.m.; Presentations, 6:00 p.m. and 6:45 p.m.

PLACE: Seminole County Public Library, East Branch, 310 North Division Street, Oviedo, Florida, 32765

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management Nos. (FMN) 422015-1-52-01 and 427259-1-52-01

Project Description: SR 419/SR 434 and SR 426 Resurfacing, Seminole County

The Florida Department of Transportation (FDOT) is in the early design phase of two repaving projects along SR 426 (Broadway Street) and SR 419/434 (Sanford-Oviedo Road/Central Avenue).

The SR 426 (Broadway Street) project will repave the roadway from Pine Avenue to SR 434 (Central Avenue.) Construction of sidewalks on the north side of SR 426 is included in this project to provide connectivity from Pine Avenue to Central Avenue.

The SR 419/434 (Sanford-Oviedo Road/Central Avenue) project will repave the roadway from west of Jetta Point to Clonts Street. Sidewalk and paved shoulder construction are included in various locations, as are the removal of several trees within FDOT right-of-way, and the signalization of the intersection of Franklin Street and SR 419/434.

Both projects will include minor drainage improvements and will upgrade existing curb ramps to current design standards. Both projects are funded for construction in 2014.

The purpose of this public information meeting is to receive input to examine how the project may impact the local community. Staff members will be available to discuss the project and answer any questions. Participants may provide public comment during the meeting or by mail to: Ms. Stephanie Ghezzi, LPA Group Incorporated, 615 Crescent Executive Court, Lake Mary, Florida 32746 or via email: sughezzi@lpagroup.com. All written comments must be received no later than December 20, 2011. All comments, written and oral, will become part of the project's public record.

A copy of the agenda may be obtained by contacting: Ms. Stephanie Ghezzi, LPA Group Incorporated, 615 Crescent Executive Court, Suite 200, Lake Mary, Florida 32746 or via email: sughezzi@lpagroup.com. A newsletter will be distributed at the meeting.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status.

Persons who require translation services (free of charge) should contact: Ms. Stephanie Ghezzi at the phone number above.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Stephanie Ghezzi, LPA Group Incorporated, 615 Crescent Executive Court, Suite 200, Lake Mary, Florida 32746, (407)562-4113 or by email: sughezzi@lpagroup.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Either Ms. Jazlyn Heywood, the FDOT Project Manager at (386)943-5562 or e-mail: Jazlyn.Heywood@dot.state.fl.us.

Additional information on the project can be obtained at: www.cflroads.com.

The Florida **Department of Transportation** announces a workshop to which all persons are invited.

DATE AND TIME: December 12, 2011, 4:30 p.m. – 6:30 p.m.

PLACE: Orange Park Town Hall, 2042 Park Avenue, Orange Park, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 208207-7, otherwise known as the proposed widening of SR 15 (US 17) in Clay County, Florida. The Florida Department of Transportation is proposing the construction of two northbound auxiliary lanes along the east side of US 17 from the Orange Park Kennel Club to I-295 that will connect to the eastbound and westbound interchange ramps. The proposed improvements will require the elimination of two directional median openings just south of the US 17 and I-295 interchange, improved geometry at Wells Road and Old Orange Park Road intersections and the installation of a stormwater retention pond within the project limits. The workshop will be an "Open House" format to allow visitors to drop by anytime from 4:30 to 6:30 to talk with Department staff, ask questions and submit written comments. An Open comment period will begin at 6:30 p.m. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Transportation (FDOT)** announces a public meeting to which all persons are invited.

DATE AND TIMES: Monday, December 12, 2011, Open House, 5:30 p.m. – 7:30 p.m.; Presentation, 6:00 p.m.

PLACE: Daytona State College, Building 110, 1200 W. International Speedway Boulevard, Daytona Beach, Florida 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 408178-1-52-01

Project Description: Clyde Morris Boulevard (SR 483) From South of Beville Road to Mayberry Avenue, Volusia County

The Florida Department of Transportation is holding a public information meeting regarding planned capacity improvements along Clyde Morris Boulevard (SR 483) from south of Beville Road (SR 400) to Mayberry Avenue. The project includes widening the roadway from four to six lanes with the construction of grassed medians throughout the corridor. It also involves construction of curbs and gutters, bike lanes, a shared use path, and sidewalks. Full median openings remain at the traffic signals and directional median openings will occur throughout the project. The safety and capacity improvements are expected to reduce crashes and improve traffic flow on this corridor. The project is not funded for right-of-way or construction in the FDOT's Five Year Work Program.

A copy of the agenda may be obtained by contacting: David Cooke, the FDOT Project Manager at (386)943-5255 or via email: david.cooke@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Rebecca Zawadski, EI at Ghyabi & Associates, 1459 North US Highway 1, Ste. 3, Ormond Beach, Florida 32174, (386)677-5499, ext. 246, Fax: (386)677-5194, e-mail: rzawadski@ghyabi.com.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status.

Persons who require translation services (free of charge) should contact: Rebecca Zawadski, at the phone number above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: David Cooke, FDOT, Project Manager, (386)943-5255 or via email: david.cooke@dot.state.fl.us, AND/OR Rebecca Zawadski, EI at Ghyabi & Associates, 1459 North US Highway 1, Ste. 3, Ormond Beach, Florida 32174, (386)677-5499, ext. 246, Fax: (386)677-5194, e-mail: rzawadski@ghyabi.com.

Additional information on the project can be obtained at: www.cflroads.com.

The Florida **Department of Transportation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 13, 2011, 5:30 p.m. – 6:30 p.m. (CST)

PLACE: Grace Assembly of God Church, 6117 West Fairfield Drive, Pensacola, FL 32506

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend a construction public information meeting concerning upcoming improvements to State Road (S.R.) 727/Fairfield Drive from (S.R.) 292/Gulf Beach Hwy. to Bruce Street. The purpose of the meeting is to afford interested persons an opportunity to express their views concerning the upcoming resurfacing project on Fairfield Drive. The meeting will be conducted in an open house format, no formal presentation is scheduled. FDOT representatives will be available to discuss the project, answer questions and receive comments.

A copy of the agenda may be obtained by contacting: Lynn Adams, FDOT Project Manager Toll Free at 1(888)638-0250, ext. 413 or by email: lynn.adams@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Lynn Adams, at the number listed above or by email: lynn.adams@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Adams at the number or email address listed above.

The Florida **Department of Transportation (FDOT)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 14, 2011, Open House, 3:00 p.m. – 7:00 p.m.

PLACE: Melbourne City Hall Council Chambers, 900 East Strawbridge Avenue, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 237650-3

Project Description: SR 507 (Babcock Street), from Melbourne Avenue to Fee Avenue.

The project includes widening for additional turn lanes, the addition of a raised median along SR507, new signalization equipment, and roadway resurfacing along with drainage improvements. A new roadway lighting system will also be installed. Construction of these improvements will begin in Spring 2012.

A copy of the agenda may be obtained by contacting: A project flyer will be distributed at the meeting. You may also view information on the project at www.cflroads.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Colleen Jarrell, HNTB Corporation, 610 Crescent Executive Court, Suite 400, Lake Mary, FL 32746.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status.

Persons who require translation services (free of charge) should contact: Colleen Jarrell, at the phone number above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Gene Varano, FDOT, Project Manager, (386)943-5145 or e-mail: gene.varano@dot.state.fl.us and/or Colleen Jarrell, Public Information Liaison, 1(800)889-8237 or e-mail: cjarrell@hntb.com.

STATE BOARD OF ADMINISTRATION

The **Florida Prepaid College Board** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, December 13, 2011, 2:00 p.m. or soon thereafter – until completion

PLACE: The University of South Florida, David C. Anchin Center, TECO Room (#DAC 103), 4202 East Fowler Avenue, Tampa, Florida 33620

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a workshop on the Florida College Savings Program.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/>, (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: fax a written request to the: Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 14, 2011, 9:00 a.m. or soon thereafter – until completion

PLACE: The University of South Florida, David C. Anchin Center, TECO Room (#DAC 103), 4202 East Fowler Avenue, Tampa, Florida 33620

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board Investment Committee.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/>, (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: fax a written request to the: Florida Prepaid College Board at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Prepaid College Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 14, 2011, following the adjournment of the Investment Committee of the Florida Prepaid College Board meeting on December 14, 2011, at the same location, until completion

PLACE: The University of South Florida, David C. Anchin Center, TECO Room (#DAC 103), 4202 East Fowler Avenue, Tampa, Florida 33620

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Board.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/>, (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: fax a written request to the: Florida Prepaid College Board, (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Prepaid College Foundation Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 14, 2011, following the adjournment of the Florida Prepaid College Board meeting on December 14, 2011, at the same location, until completion

PLACE: The University of South Florida, David C. Anchin Center, TECO Room (#DAC 103), 4202 East Fowler Avenue, Tampa, Florida 33620

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to conduct the regular business of the Florida Prepaid College Foundation Board.

A copy of the agenda may be obtained by contacting: <http://www.myfloridaprepaid.com/>, (850)488-8514.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by Faxing a written request to the: Florida Prepaid College Board at (850)488-3555. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** will consider at its December 6, 2011, Commission Conference, Docket No. 110304-GU, Application for Authorization to Issue Common Stock, Preferred Stock, and Secured and/or Unsecured Debt, to Enter into Agreements for Interest Rate Swap Products, Equity Products and other Financial Derivatives, and to Exceed Limitation Placed on Short-Term Borrowings in 2012 by Chesapeake Utilities Corporation (Chesapeake or Company). The Company seeks PSC approval, pursuant to Section 366.04, Florida Statutes, to issue up to 5,875,782 shares of Chesapeake common stock, up to 1,000,000 shares of Chesapeake preferred stock; up to \$120,000,000 in secured and/or unsecured debt; to enter into agreements up to \$40,000,000 in Interest Rate Swap Products, Equity Products and other Financial Derivatives; and to obtain authorization to exceed the limitation placed on short-term borrowings by Section 366.04, Florida Statutes, so as to issue short-term obligations in 2012, in an amount not to exceed \$100,000,000.

DATE AND TIME: Tuesday, December 6, 2011, Commission Conference, 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in Docket No. 110304-GU.

Emergency Cancellation of Meeting: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact: Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

For more information, please contact: Martha F. Barrera, Office of the General Counsel, (850)413-6212.

The Florida **Public Service Commission** announces a public hearing in the following docket to which all persons are invited.

Docket Number & Title: Docket No.110138-EI – Petition for increase in rates by Gulf Power Company.

HEARING

DATES AND TIME: December 12-16, 2011, 9:30; December 19, 2011, has also been reserved for the continuation of the hearing, if needed

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to permit parties to present testimony and exhibits relative to the application by Gulf Power Company, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on November 21, 2011.

Emergency Cancellation of Customer Meeting: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: Office of the General Counsel at (850)413-6199.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact: Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida **Film and Entertainment Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2011, 10:00 a.m.

PLACE: Please Call: 1(888)808-6959, Conference Code: 4104765

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues concerning the film and entertainment industry, general administrative matters of the Advisory Council and hear public input and advisement.

A copy of the agenda may be obtained by contacting: Office of Film and Entertainment at (850)410-4765.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Film and Entertainment at (850)410-4765. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Office of Film and Entertainment at (850)410-4765.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 10:00 a.m.

PLACE: SiVance, LLC, 4044 Northeast 54th Avenue, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida (District 3) Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program, Director, North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 1:00 p.m.

PLACE: SiVance, LLC, 4044 Northeast 54th Avenue, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program, Director, North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 1:15 p.m.

PLACE: Board of County Commissioners Meeting Room, County Courthouse, 55 West Main Street, Lake Butler, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Union County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Flagler County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 13, 2011, 10:00 a.m.

PLACE: Flagler County Government Services Building, Bldg. #2, 1769 East Moody Boulevard, Bunnell, Florida 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Ed Lehman, elehman@nefrfc.org or (904)279-0880.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Bonnie Magee, (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

The **East Central Florida Regional Planning Council** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, November 30, 2011, 9:00 a.m.

PLACE: Barnett Park, 4801 West Colonial Drive, Orlando, FL 32808

GENERAL SUBJECT MATTER TO BE CONSIDERED: Second workgroup meeting to discuss the planning elements and process for developing an Orange County Post-Disaster Redevelopment Plan.

A copy of the agenda may be obtained by contacting: Matt Boerger, (407)262-7772 or by e-mail: mboerger@ecfrpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2011, 9:00 a.m.

PLACE: Bartow Public Library, 2nd Floor, Conference Room, 2150 S. Broadway Avenue, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Central Florida Regional Planning Council and/or its Executive Committee.

A copy of the agenda may be obtained by contacting: Kathryn Hall, (863)534-7130, ext. 129 or email: khall@cfrpc.org.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Tampa Bay Local Emergency Planning Committee (LEPC)**, District VIII announces a public meeting to which all persons are invited.

DATE AND TIME: November 30, 2011, 10:30 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA) pertaining to facilities with hazardous materials within the Florida LEPC District VIII.

A copy of the agenda may be obtained by contacting: www.tbrpc.org/lepc/lepc_agendas.shtml.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Tampa Bay Regional Planning Council, (727)570-5151. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: John Meyer, LEPC Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782, (727)570-5151, ext. 29.

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Ms. Wren Krahl, Director of Administration/Public Information at (727)570-5151, ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Suzanne Cooper, (727)570-5151, ext. 32.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 2nd Floor, Meeting Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFRPC's Executive Committee will be discussing the Executive Director interview process.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 232.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi at (239)338-2550, ext. 210 or dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Visit the SWFRPC's website: www.swfrpc.org.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 5, 2011, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFRPC's Budget & Finance Committee monthly meeting.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 232.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi at (239)338-2550, ext. 210 or dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Visit the SWFRPC's website: www.swfrpc.org.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, 10:30 a.m.

PLACE: Glades County Library, 201 Riverside Drive, Moore Haven, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Joint Glades/Hendry Local Coordinating Board for the Transportation Disadvantaged will be holding their quarterly meeting.

A copy of the agenda may be obtained by contacting: Brian Raimondo, Southwest Florida Regional Planning Council, (239)338-2550, ext. 211, e-mail: braimondo@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Raimondo, Southwest Florida Regional Planning Council, (239)338-2550, ext. 211, by e-mail: braimondo@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Visit the SWFRPC's website: www.swfrpc.org.

The **Southwest Florida Regional Planning Council** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, December 8, 2011, 5:00 p.m. – 9:00 p.m., a reception will take place

PLACE: To Be Determined within Lee County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this reception is to meet the five candidates for the position of Executive Director of the Southwest Florida Regional Planning Council. The five candidates will be interviewed the following day, December 9, 2011, between 9:00 a.m. and 5:00 p.m. at the Southwest Florida Regional Planning Council.

Two or more Southwest Florida Regional Planning Council members are anticipated to attend this reception. The Southwest Florida Regional Planning Council members may engage in informal discussions and may individually speak about and/or respond to questions concerning matters of interest and relevance to the citizens of Lee County. No actions or decisions of the Council members on any Southwest Florida Regional Planning Council matters will be taken at this event.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or email: ngwinnett@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Deborah Kooi at dkooi@swfrpc.org or

(239)338-2550, ext. 210. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Ms. Nancy Doyle at ndoyle@swfrpc.org or (239)338-2550, ext. 233.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 9, 2011, 8:00 a.m. – 5:00 p.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Executive Committee and Executive Director Search Committee will be conducting the final interviews for new Executive Director.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or email: ngwinnett@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi at (239)338-2550, ext. 210 or dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Ms. Nancy Doyle at (239)338-2550, ext. 233 or ndoyle@swfrpc.org.

The **Southwest Florida Regional Planning Council/Lee MPO** announces a public meeting to which all persons are invited.

DATE AND TIME: December 16, 2011, 1:30 p.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, Florida 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lee County Metropolitan Planning Organization's Transportation Disadvantaged Local Coordinating Board will be holding their quarterly meeting.

A copy of the agenda may be obtained by contacting: Brian Raimondo at the Lee MPO calling (239)338-2550, ext. 211 or by e-mail: braimondo@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting: Brian Raimondo at the Lee MPO by calling (239)338-2550, ext. 211 or by e-mail: braimondo@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Visit the SWFRPC's website: www.swfrpc.org.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 5, 2011, 10:30 a.m.

PLACE: Murray E. Nelson Government & Cultural Center, 10205 Overseas Highway, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Southeast Overtown Park West, Increment III Staff Assessment – City of Miami; Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Generally Consistent Comprehensive Plan Amendment reviews for Coconut Creek (proposed); Doral and Broward County (adopted). Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: (954)985-4416.

WATER MANAGEMENT DISTRICTS

The **Central Florida Water Initiative (CFWI)**, Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District each, and a representative from each of the following: the Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, and Tohopekaliga (Toho) Water Authority. Toho's representative also represents other public water supply utilities within the Central Florida Coordination Area. The CFWI Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2011, 10:00 a.m. – 12:30 p.m.

PLACE: TOHO Water Authority, 951 Martin Luther King Boulevard, Kissimmee, Florida 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFWI Steering Committee is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Coordination Area. The CFWI Steering Committee will consider matters appearing on the agenda for the meeting or matters added to the agenda as determined by the Chair of the Committee. Additional information about this effort may be found at <http://cfwiwater.com>.

NOTE: One or more additional Governing Board members from each of the three districts named above may attend and participate in the meeting of the CFWI Steering Committee.

A copy of the agenda may be obtained by contacting: John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, Florida 32779, (321)297-7372, e-mail: johnshearer@cfl.rr.com or at <http://cfwiwater.com/> seven days before the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Nilsa Diaz, Executive Assistant to the Executive Director, Tohopekaliga Water Authority, (407)944-5000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Hal Wilkening, Director, Department of Water Resources, St. Johns River Water Management District, P.O. Box 1429, Palatka, Florida 32178-1429, (386)329-4250, e-mail: hwilkeni@sjrwmd.com; Dean Powell, Chief of Water Supply Bureau, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6787, e-mail: dpowell@sfwmd.gov; Roy Mazur: Planning Director, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211,

e-mail: Roy.Mazur@swfwma.state.fl.us; John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, Florida 32779, (321)297-7372, e-mail: johnshearer@cfl.rr.com.

The **St. Johns River Water Management District**, Projects & Land Committee announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, December 8, 2011, 4:00 p.m., Projects & Land Committee Business Meeting

Friday, December 9, 2011, 8:00 a.m., Projects & Land Committee Site Visits

PLACE: Thursday, December 8, 2011, 4:00 p.m., Projects & Land Committee Business Meeting:

Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, FL 32746

Friday, December 9, 2011, 8:00 a.m., Projects & Land Committee Site Visits:

Various locations along Lakes Harney, Jesup, and Monroe and the St. Johns River north to Blue Springs

Starting location: C.S. Lee Park, 4600 East S.R. 46, Geneva, FL 32732

The time and location of the site visits may be changed due to inclement weather or other unforeseen circumstances. Notice of such change will be made at the December 8, 2011 Business Meeting.

Notice of such change will also be available by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4347.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates and discussion of the Middle St. Johns River; Basin Program.

The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, December 13 2011, 8:00 a.m. District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Heather Barnes at (386)329-4347. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, December 13, 2011, 8:15 a.m., Chair's Meeting; 9:00 a.m., Finance, Administration and Audit Committee; 10:00 a.m., Regulatory Committee followed by Governing Board Meeting and Public Hearing on Land Acquisition

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177 or by phone at (386)329-4101, or by visiting the District's website at www.floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATE AND TIME: Friday, December 2, 2011, 2:00 p.m.

PLACE: Archbold Biological Station, 123 Main Drive, Venus FL 33960

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ribbon-cutting and opening ceremony for the Frances Archbold Hufty Learning Center and Adrian Archbold Lodge. SWFWMD and South Florida Water Management District Governing Board members and Highlands County commissioners may attend.

A copy of the agenda may be obtained by contacting: www.archbold-station.org; or Debbie Upp, execassistant@archbold-station.org (863)465-2571, ext. 251.

For more information, you may contact: Melissa.Roe@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4776 (Ad Order EXE0177).

The **Southwest Florida Water Management District (SWFWMD)** announces a workshop to which all persons are invited.

DATE AND TIME: Monday, December 5, 2011, 6:00 p.m.

PLACE: Hillsborough Community College Trinkle Center, 1206 North Park Road, Plant City, FL 33563

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFWMD Public Workshop: Evaluation of SWFWMD lands for potential hunting opportunities. Governing Board and Advisory Committee members may attend.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL Only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Cheryl.Hill@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4452 (Ad Order EXE0176).

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 6, 2011, 9:00 a.m.

PLACE: Tampa Service Office, 7601 US 301, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Permit/Application No. and Project Name

43029183.005 FDOT – US 98 N. of CR 540A to N. of SR 540
43040459.001 Bay Pines Re-Development
49040640.001 Waters Center Site

A copy of the agenda may be obtained by contacting: Patty McLeod, Southwest Florida Water Management District, PMO, 2379 Broad Street, Brooksville, FL 34609-6749 or by visiting the District's website: www.watermatters.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director at 1(800)423-1476, ext. 4702, TDD (FL Only) or 1(800)231-7103, email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 8, 2011, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED:
NOTE: Meeting Cancellation. The Green Industry and Agricultural Advisory Committees Joint Meeting has been cancelled.

A copy of the agenda may be obtained by contacting: Teri.Hudson@watermatters.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD, Human Resources Director at 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Teri.Hudson@watermatters.org; 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4402 (AD Order #24234).

The **South Florida Ecosystem Restoration Working Group** announces a workshop to which all persons are invited.

South Florida Ecosystem Restoration Working Group sponsored Public Workshop on the Central Everglades Study

DATE AND TIME: November 30, 2011, 10:00 a.m. – 4:00 p.m.

PLACE: SFWMD, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Workshop for the Central Everglades Planning Process sponsored by the South Florida Ecosystem Restoration Task Force is being held to engage the public. This workshop will report the Task Force's feedback to the U.S. Army Corps of Engineers and the SFWMD during the Central Everglades Planning Process. The public is advised that it is possible that one or more members of the Water Resources Advisory Commission and Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Marsha Bansee at (305)348-1665 or at our website: www.sfrestore.org. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Marsha Bansee at (305)348-1665 or at our website: www.sfrestore.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marsha Bansee or Sandy Soto at (305)348-1665.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2011, 9:00 a.m., Special Governing Board Meeting

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to conduct Attorney Client Sessions regarding pending District litigation and for the Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 11-12 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087 or at <http://www.swfwmd.gov>.

For more information, you may contact: Jacki McGorty at (561)682-2087 or jmcgorty@swfwmd.gov.

The **South Florida Water Management District** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, January 12, 2012, Regular Meeting, 9:00 am.; Public Hearing is anticipated to start after completion of the Discussion Agenda but may occur earlier or later in the day. The draft Florida Forever Work Plan, 2012 Annual Update (Volume II, Chapter 6A, of the 2012 South Florida Environmental Report) will be available for public review and comment from December 16, 2011 through January 12, 2012

PLACE: South Florida Water Management District, Headquarters, B-1 Building, Auditorium, 3301 Gun Club Road, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing of the Governing Board of the South Florida Water Management District to adopt the Florida Forever Work Plan, 2012 Annual Update, included as Chapter 6A; Volume II of the South Florida Environmental Report. Public comments on the Plan may be made by regular mail or e-mail received by the District no later than 5:00 p.m., January 10, 2012 or in person at the public hearing on January 12, 2012. At the conclusion of the public hearing, the District Governing Board will vote on the recommendation to adopt the Plan.

For more information regarding the Plan, please contact: Wanda Caffie-Simpson, Budget Bureau, (561)682-6445, e-mail: wsimpso@sfwmd.gov, South Florida Water Management District Headquarters, 3301 Gun Club Road, Mail Stop Code 7320, West Palm Beach, FL 33406.

A copy of the agenda may be obtained by contacting: (1) District website: www.sfwmd.gov or (2) by writing: South Florida Water Management District, Mail Stop 2214, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: District Clerk's Office, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office, (561)682-2087.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Long-Term Care Ombudsman Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 9, 2011, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: Call In: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Advocacy Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 days before the workshop/meeting by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 9, 2011, 2:00 p.m. – 5:00 p.m.

PLACE: Building 2, Conference Room F, 2727 Mahan Drive, Tallahassee, FL 32308; Conference Call: 1(888)808-6959, Conference Code: 8509225531

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the first meeting of the Child Death Data Review Workgroup. This is an ad hoc workgroup of Florida's Children and Youth Cabinet that will evaluate existing processes for child death reviews, to improve communication and collaboration across agencies regarding the investigation of child deaths and to recommend ways to improve the response to the investigation of deaths.

A copy of the agenda may be obtained by contacting: Judy Mathews, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Judy Mathews at (850)412-3763. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Judy Mathews at (850)412-3763.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 13, 2011, 9:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #2, Conference Room F, Third Floor, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor's Panel on Excellence in Long-Term Care will be considering applications received for the Gold Seal Award designation. Other business as needed may also be discussed.

A copy of the agenda may be obtained by contacting: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or via email: jacqueline.williams@ahca.myflorida.com.

For more information, you may contact: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or via email: jacqueline.williams@ahca.myflorida.com.

NOTICE OF RESCHEDULING – The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2011, 9:30 a.m. – 11:00 a.m. This replaces the previously published meeting date of December 22, 2011, which has been cancelled

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308; Conference Call: 1(888)808-6959, Conference Code: 8509227332. Those not able to attend in person may call the conference phone number (listed above)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical and Operational Issues meetings. These issues are related to Health Plans.

A copy of the agenda may be obtained by contacting: Heather Roberts, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308 or calling: (850)412-4004.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Heather Roberts, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308 or calling (850)412-4004. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Heather Roberts, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308 or calling: (850)412-4004.

NOTICE OF RESCHEDULING – The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2011, 9:30 a.m. – 11:00 a.m. This replaces the previously published meeting date of December 22, 2011, which has been cancelled

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308, Dial In Number: 1(888)808-6959, Conference Code: 8509227332. Those not able to attend in person may call the conference phone number (listed above)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical and Operational Issues meetings. These issues are related to Health Plans.

A copy of the agenda may be obtained by contacting: Heather Roberts, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308, (850)412-4004.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Heather Roberts, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308, (850)412-4004. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Heather Roberts, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #50, Tallahassee, FL 32308, (850)412-4004.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 9, 2011, 1:00 p.m. – 4:00 p.m. (EST)

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, FL 32308; Conference Call: 1(866)498-8391, Conference ID: 28813746

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medicaid Reform Technical Advisory Panel. All interested parties are encouraged to attend.

A copy of the agenda may be obtained by contacting: Christina.White@ahca.myflorida.com, (850)412-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christina.White@ahca.myflorida.com, by phone:

(850)412-4680. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2011, 1:00 p.m. – 5:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, FL 32308. For interested parties unable to attend in person, this meeting will be recorded and posted online within 48 hours of the meeting. To locate please visit our website (<http://ahca.myflorida.com>) and click on the link to “Statewide Medicaid Managed Care Program”

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Long-term Care Managed Care Technical Advisory Workgroup has been established by the Florida Legislature through Section 409.9841, Florida Statutes, which states: Before August 1, 2011, the agency shall establish a technical advisory workgroup to assist in developing:

- (a) The method of determining Medicaid eligibility pursuant to Section 409.985(3), F.S.
- (b) The requirements for provider payments to nursing homes under Section 409.983(6), F.S.
- (c) The method for managing Medicare coinsurance crossover claims.
- (d) Uniform requirements for claims submissions and payments, including electronic funds transfers and claims processing.
- (e) The process for enrollment of and payment for individuals pending determination of Medicaid eligibility

A copy of the agenda may be obtained by contacting: Agency for Health Care Administration by e-mail: FLMedicaidManagedCare@ahca.myflorida.com or call: (850)412-4680. You may also visit our website (<http://ahca.myflorida.com>) and click on the link to “Statewide Medicaid Managed Care Program”.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Agency for Health Care Administration by e-mail: FLMedicaidManagedCare@ahca.myflorida.com or by calling: (850)412-4680. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Agency for Health Care Administration**, Pharmaceutical and Therapeutics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 13, 2012, 1:00 p.m. – 5:00 p.m.

PLACE: Tampa Airport Marriott, Tampa International Airport, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recommendations for drugs to be included on the Preferred Drug List are made at this meeting. Members of the public who wish to speak at this meeting must contact: Vern Hamilton at (850)412-4154. The number of speakers will be limited and are accommodated in order of notification to: Mr. Hamilton. Because of unforeseen events that may cause changes, interested parties are encouraged to watch the web site at: www.ahca.myflorida.com/Medicaid/Prescribed_Drug/meetings.shtml.

A copy of the agenda may be obtained by contacting: Vern Hamilton at: Vern.Hamilton@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Retirement Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, December 12, 2011, 9:00 a.m. (Eastern)

PLACE: Conference Call: 1(888)808-6959, and enter Conference Code: 9214787

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct meeting/hearings pursuant to Section 121.23, Florida Statutes and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 15 days before the workshop/meeting by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Drug Wholesale Distributor Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 6, 2011, 9:30 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1047

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: http://www.myfloridalicense.com/dbpr/ddc/council_meeting.html seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Drug, Devices, and Cosmetics Program at (850)717-1800. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Drug, Devices, and Cosmetics Program, 1940 North Monroe Street, Suite 26A, Tallahassee, Florida 32399-1047, (850)717-1800.

The **Construction Industry Licensing Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, December 12, 2011, 9:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4879516

GENERAL SUBJECT MATTER TO BE CONSIDERED: Recovery Fund committee meeting.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Amanda Wynn, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

The **Board of Professional Geologists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 29, 2011, 11:00 a.m.

PLACE: Conference Call: 1(888)808.6959 and the Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: Applications and general board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, Florida 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, Florida 32399.

The **Board of Veterinary Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 14, 2011, 9:00 a.m.

PLACE: Access Phone: 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause panel meeting, portions which are closed to the public. Agenda available on request.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399.

The Probable Cause Panel of the Florida **Real Estate Commission** announces a hearing to which all persons are invited.

DATE AND TIME: December 12, 2011, 2:00 p.m. or soonest thereafter

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Real Estate Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesday, December 13, 2011; Wednesday, December 14, 2011, 8:30 a.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

The **Florida State Boxing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2011, 9:00 a.m.

PLACE: 1940 North Monroe Street, Tallahassee Florida 32399; Conference Call: 1(888)808-6959, Conference Code: 4137430

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting will begin at 9:00 a.m., and at the conclusion of the General Business Meeting a Rules Workshop will begin. The general subject matter for the general business meeting is review of applications and the general subject matter for the rules workshop is Chapters 61K1-1, 61K1-2 and 61K1-3, Florida Administrative Code. The Commission will be considering a substantial re-write of existing rules.

A copy of the agenda may be obtained by contacting: Lina Hurtado at (850)488-8500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 days before the workshop/meeting by contacting: Lina Hurtado at (850)488-8500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Lina Hurtado at (850)488-8500.

The Florida **Mobile Home Relocation Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 2:00 p.m.

PLACE: Telephone conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Janet Compton at 1(888)862-7010.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janet Compton at 1(888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janet Compton, Executive Director, FMHRC, P.O. Box 3047, Tallahassee, FL 32315, 1(888)862-7010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2011, 9:00 a.m.

PLACE: Brevard County Agricultural Center, 3695 Lake Drive, Cocoa, Florida 32926

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a technical meeting to discuss reductions in total nitrogen and total phosphorus from water quality improvement projects related to the North Indian River Lagoon Basin Management Action Plan. The monitoring plan proposed as part of the Basin Management Action Plan will also be discussed at this meeting. The Total Maximum Daily Load for the North Indian River Lagoon adopted in March 2009 requires reductions in the loadings of total nitrogen and total phosphorus sufficient to meet seagrass depth targets.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment Section, MS #3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8560.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Mary Paulic at (850)245-8560. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2011, 1:30 p.m.

PLACE: Brevard County Agricultural Center, 3695 Lake Drive, Cocoa, Florida 32926

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a technical meeting to discuss reductions in total nitrogen and total phosphorus from water quality improvement projects related to the Banana River Lagoon Basin Management Action Plan. The monitoring plan proposed as part of the Basin Management Action Plan will also be discussed at this meeting. The Total Maximum Daily Load for the Banana River Lagoon adopted in March 2009 requires reductions in the loadings of total nitrogen and total phosphorus sufficient to meet seagrass depth targets.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment Section, MS #3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8560.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Mary Paulic at (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, 300 S. Adams St., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will bring before the Environmental Regulation Commission (ERC) to approve for adoption its proposed revisions to Chapter 62-302 (Surface Water Quality Standards) and Chapter 62-303 (Identification of Impaired Surface Waters), F.A.C., which contain numeric nutrient standards for lakes, flowing waters (streams), springs, and estuary specific criteria for several Florida estuaries, including Clearwater Harbor, Tampa Bay, Sarasota Bay, Charlotte Harbor, Southwest Florida, Biscayne Bay, Florida Bay, and the Florida Keys. The Department's rules, if approved by the ERC, ratified by the Florida Legislature, and approved by the United States Environmental Protection Agency (USEPA), are intended to

replace USEPA's numeric nutrient criteria that were promulgated for Florida's lakes and flowing waters last November.

The Department will also request adoption of rules that the Department is proposing to repeal as duplicative, unnecessarily burdensome or no longer necessary pursuant to the Governor's Executive Orders 11-01 and 11-72. The Department will seek approval of the ERC to repeal the following rules: 62-204.240; 62-204.260; 62-212.600; 62-212.710; 62-252.500; 62-252.900; 62-285.420; 62-296.407; 62-296.411; 62-296.413; 62-702.300; 62-702.400; 62-702.570; and 62-702.600.

The Department will also brief the ERC on its forthcoming proposal to repeal Rule 62-296.341, F.A.C. to eliminate an unnecessary permitting requirement that was initially promulgated to satisfy federal regional haze regulations, but was later rejected by the U.S. Environmental Protection Agency as a means to satisfy such regulations. Thus, the rule section is no longer necessary to serve its original purpose. The Department will also brief the ERC on its proposed revisions to Rule 62-210.200, F.A.C., Rule 62-212.300, F.A.C., and Rule 62-212.400, F.A.C. to establish PM2.5 as an air pollutant with a significant emissions rate, thereby making industrial facilities that emit PM2.5 potentially subject to preconstruction review for major stationary sources. The proposed amendments are consistent with federal regulation, policy, and guidance, and they do not impose any requirements beyond or in addition to the minimum federal program.

The Department will present a briefing to the Commission on proposed changes to Chapter 62-701, F.S., Solid Waste Management Facilities. These changes will primarily reduce regulatory burdens and should impose no additional costs on the public. The Department intends to bring the proposed changes before the Commission on January 19 for approval.

A copy of the agenda may be obtained by contacting: Kay Buchanan at (850)245-2293, by email: kay.buchanan@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kay Buchanan (850)245-2293, by email: kay.buchanan@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Kay Buchanan (850)245-2293.

The Department of Environmental Protection, Division of Air Resource Management announces a hearing to which all persons are invited.

DATE AND TIME: January 4, 2012, 1:00 p.m.

PLACE: Department of Environmental Protection, Division of Air Resource Management, 111 South Magnolia Drive, Suite 23, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to 40 CFR 51.102, the Department of Environmental Protection (DEP) announces a hearing and opportunity to offer comments on a proposed revision to Florida's State Implementation Plan (SIP) under the Clean Air Act. Specifically, DEP proposes that the U.S. Environmental Protection Agency (EPA) amend Florida's SIP to incorporate three sets of Florida Administrative Code (F.A.C.) rule amendments to establish PM2.5 as a pollutant with a significant emissions rate, thereby making industrial facilities that emit PM2.5 potentially subject to preconstruction review for major stationary sources and major modifications. The three sets of rule amendments, for which rule development is underway, are: 62-210.200, Definitions; 62-212.300, General Preconstruction Review Requirements; and 62-212.400, Prevention of Significant Deterioration (PSD). A public hearing will be held, if requested, at the date, time and place given above. It is not necessary that the hearing be held or attended in order for persons to comment on DEP's proposed submittal to EPA. Any request for a public hearing must be submitted by letter or e-mail: Marnie Brynes, Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS #5500, Tallahassee, Florida 32399-2400, Marnie.Brynes@dep.state.fl.us and received no later than December 23, 2011. Any comments must be submitted by letter or e-mail: Kelly.Stevens@dep.state.fl.us, with a copy to Ms. Brynes, and received no later than December 23, 2011. If no request for a public hearing is received, the hearing will be cancelled, and notice of the cancellation will be posted at the following website: <http://sharepoint.dep.state.fl.us/PublicNotices/default.asp>. Persons may also contact: Ms. Brynes at (850)717-9029, to find out if the hearing has been cancelled. The materials comprising DEP's proposed SIP revision are accessible from the above website by clicking on the January 4 hearing link. The materials may also be inspected during normal business hours at the: DEP, Division of Air Resource Management offices, 111 S. Magnolia Dr., Suite 23, Tallahassee, Florida, or accessed with the aid of any DEP District Air Section or DEP-approved local air pollution control office.

A copy of the agenda may be obtained by contacting: Ms. Stevens by letter, e-mail or by calling: (850)717-9017.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting: Ms. Brynes at (850)717-9029 or email: Marnie.Brynes@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Stevens by letter, e-mail or by calling: (850)717-9017.

The **Department of Environmental Protection**, Bureau of Beaches and Coastal Systems, announces a workshop to which all persons are invited.

DATE AND TIME: November 30, 2011, 8:30 a.m.

PLACE: St. Johns County Emergency Management, Conference Room, 100 EOC Drive, St. Augustine, FL 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will hold the first of two workshops prior to an update of the St. Augustine Inlet Management Plan. Attendees will discuss coastal data, analyses of the beach and inlet littoral system, and implementation strategies that should be considered by the Department for adoption in the updated inlet management plan. This plan will be adopted pursuant to Section 161.161, Florida Statutes.

A copy of the agenda may be obtained by contacting: Robert Brantly, robert.brantly@dep.state.fl.us, (850)413-7803.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Robert Brantly, robert.brantly@dep.state.fl.us, (850)413-7803. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Greenways and Trails Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 13, 2011, 9:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2452066

GENERAL SUBJECT MATTER TO BE CONSIDERED: Election of Chair and Vice Chair and conduct general business.

A copy of the agenda may be obtained by contacting: Cindy Radford, Office of Greenways and Trails, Division of Recreation and Parks, Office of Greenways and Trails, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #795, Tallahassee, Florida 32399-3000. Ms. Radford may also be reached by telephone: (850)245-2052 or by email: Cynthia.Radford@dep.state.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by

contacting: Cindy Radford. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The Florida **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 5, 2011, 1:30 p.m. – 5:00 p.m.

PLACE: 4052 Bald Cypress Way, Room 301, Tallahassee, Florida; Conference Call: 1(888)808-6959, Conference Code: 1634613

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Statewide Drug Policy Advisory Council will meet to provide through various presentations, an overview on substance abuse trends and treatments, pertinent substantive legislation filed, and estimates of the funding needed for substance abuse treatment.

A copy of the agenda may be obtained by contacting: Michael Forrester, Office of Legislative Affairs at (850)245-4444, ext. 2114 or email: michael_forrester@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Michael Forrester, (850)245-4444, ext. 2114. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lennie Zeiler, Director of Legislative Affairs, 4052 Bald Cypress Way, Tallahassee, FL 32399-1702, (850)245-4343.

The **Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 1, 2011, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Call: 2453454

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474 at least one week prior to the meeting.

The **Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 15, 2011, 9:00 a.m.

PLACE: Call: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay system at 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

The **Board of Dentistry** announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2011, 9:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Building 4042, Room #301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster at (850)245-4474.

NOTICE OF CHANGE – The **Board of Medicine**, Finance & Statistics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: UPDATE DATE/TIME: Thursday, December 1, 2011, 12:30 p.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822. Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: www.flhealthsource.com for cancellations or changes to meeting dates or call: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

NOTICE OF CHANGE – The **Board of Medicine**, Electrology/Dietetics & Nutrition Committee announces a public meeting to which all persons are invited.

DATE AND TIME: UPDATED TIME: Thursday, December 1, 2011, immediately following the Rules/Legislative Committee

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: www.flhealthsource.com for cancellations or changes to meeting dates or call: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

NOTICE OF CHANGE – The **Board of Medicine**, Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: UPDATED TIME: Thursday, December 1, 2011, immediately following the Probationers Committee

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine.

A copy of the agenda may be obtained by contacting: George Johnson at george_johnson@doh.state.fl.us or call: (850)245-4134.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: George Johnson at george_johnson@doh.state.fl.us or call: (850)245-4134. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 9, 2011, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 818 097 8700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at: Karen_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email her at: Karen_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 22, 2011, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 818 097 8700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at: susan_chase@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Susan Chase at (850)245-4640, ext. 8145 or email her at: susan_chase@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Medicine**, Dietetics and Nutrition Practice Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2012, 9:00 a.m. or soon thereafter

PLACE: Capital Circle Office Center, 4042 Bald Cypress Way, Room 301, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373, ext. 3475 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Council Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Occupational Therapy** announces meetings to which the public may attend. A meeting or portion of a probable cause panel meeting is public only if a case or cases are public by reason of reconsideration.

DATES AND TIME: January 9, 2012; April 9, 2012; July 9, 2012; October 8, 2012, 8:00 a.m. or soon thereafter

PLACE: Capital Circle Office Center, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399-3255

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel and General Business Meeting.

A copy of the agenda for the public portion of the meeting may be obtained by contacting Department of Health, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3478 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, December 6, 2011, 1:00 p.m. (EST) or shortly thereafter

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6321783289

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256 or you may call (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christy Robinson, (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Pharmacy**, Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 29, 2011, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 5642037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reconsideration cases.

A copy of the agenda may be obtained by contacting: Florida Board of Pharmacy at (850)245-4292.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Florida Board of Pharmacy at (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Pharmacy, 4052 Bald Cypress Way, Bin #C-04, Tallahassee, FL 32399-3254 or (850)245-4292.

The **Department of Health, Board of Psychology** announces a public meeting to which all persons are invited.

DATE AND TIME: January 20, 2012, 8:00 a.m. or soon thereafter

PLACE: The Peabody Hotel, 9801 International Drive, Orlando, FL 32819, (407)352-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling: The Board Office at (850)245-4373, ext. 3467 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health, Board of Respiratory Care Practice** announces a public meeting to which all persons are invited.

DATE AND TIME: January 6, 2012, 8:30 a.m. (EST) or soon thereafter

PLACE: The Peabody Hotel, 9801 International Drive, Orlando, FL 32819, (407)352-4000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Respiratory Care Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255 or by calling: The Board Office at (850)245-4373, ext. 3476 or by visiting our website: www.doh.state.fl.us/mqa.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board Office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2011, 8:00 a.m. – 6:00 p.m.
PLACE: 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Negotiations to Become a Managing Entity for Substance Abuse & Mental Health Services for the Northeast, Central, and Southeast Regions. The Department intends to meet with potential vendors from each region to continue negotiations.

A copy of the agenda may be obtained by contacting: Michele Staffieri, (850)717-4354, Michele_staffieri@dcf.state.fl.us.

The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2011, 10:00 a.m.

PLACE: 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Negotiations to Become a Managing Entity for Substance Abuse & Mental Health Services for the Northeast, Central, and Southeast Regions. This is a meeting of the Department's Chief Negotiator and assisting team to discuss the potential vendors for each region and for the Chief Negotiator to determine if further negotiations are required or to make a recommendation to the Secretary for contract award for any or all regions.

A copy of the agenda may be obtained by contacting: Michele Staffieri, (850)717-4354, Michele_staffieri@dcf.state.fl.us.

The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2011, 8:00 a.m. – 6:00 p.m.

PLACE: 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Negotiations to Become a Managing Entity for Substance Abuse & Mental Health Services for the Northeast, Central, and Southeast Regions. The Department may choose to meet with potential vendors from any or all regions to continue negotiations, if determined to be necessary during the meeting of negotiators on December 1, 2011. This meeting is subject to cancellation.

A copy of the agenda may be obtained by contacting: Michele Staffieri, (850)717-4354, Michele_staffieri@dcf.state.fl.us.

The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: December 6, 2011, 10:00 a.m.

PLACE: 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Negotiations to Become a Managing Entity for Substance Abuse & Mental Health Services for the Northeast, Central, and Southeast Regions. This is a meeting of the Department's

Chief Negotiator and assisting team to discuss the potential vendors for any or all regions and for the Chief Negotiator to determine if further negotiations are required or to make a recommendation to the Secretary for contract award for any or all regions. This meeting is subject to cancellation.

A copy of the agenda may be obtained by contacting: Michele Staffieri, (850)717-4354, Michele_staffieri@dcf.state.fl.us.

The **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: December 7, 2011, 3:45 p.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The opening of replies for the Invitation to Negotiate for Medical Professional Recertification Services for Refugees and Entrants in Miami-Dade County (ITN #SNR12K01), as provided for in Section 2.7 of the ITN published on the Vendor Bid System (VBS) on October 31, 2011.

A copy of the agenda may be obtained by contacting: Anna Bethea at Anna_Bethea@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Pamela Thornton at (850)717-4567 or email: Pamela_Thornton@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 10:00 a.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, Florida 32399-0700; Conference Call: 1(888)808-6959, Conference Code: 4883791#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The initial meeting of evaluators for the Invitation to Negotiate for Medical Professional Recertification Services for Refugees and Entrants in Miami-Dade County (ITN #SNR12K01), as provided for in Section 2.7 of the ITN published on the Vendor Bid System (VBS) on October 31, 2011.

A copy of the agenda may be obtained by contacting: Anna Bethea at Anna_Bethea@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Pamela Thornton at (850)717-4567 or email:

Pamela_Thornton@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Miami-Dade Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 9, 2011, 10:00 a.m. – 12:00 Noon

PLACE: Miami-Dade College, Wolfson Campus, 500 N.E. 2nd Ave., Bldg. 3208, Room # 9, Miami, FL 33132

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Miami-Dade Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Adria Dilme-Bejel at (305)377-7518 or Lourdes Dysna-Leconte at (305)376-1947.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Adria Dilme-Bejel at (305)377-7518 or Lourdes Dysna-Leconte at (305)376-1947. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Adria Dilme-Bejel at (305)377-7518 or Lourdes Dysna-Leconte at (305)376-1947.

FISH AND WILDLIFE CONSERVATION COMMISSION

The **Wildlife Foundation of Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 2:00 p.m. – 4:00 p.m.

PLACE: The public may participate in the call in Room 102E, Bloxham Building, 725 S. Calhoun St., Tallahassee, FL. Call (850)921-1144 for admittance into the Bloxham Building

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors of the Wildlife Foundation of Florida will conduct administrative business of the Foundation including the Director update, Marketing update and Financial update.

A copy of the agenda may be obtained by contacting: Mr. Will Bradford, P.O. Box 11010, Tallahassee, Florida 32302, (850)921-1144.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you

are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Will Bradford, P.O. Box 11010, Tallahassee, Florida 32302, (850)921-1144.

DEPARTMENT OF FINANCIAL SERVICES

The **Florida Disability Presumption Task Force**, a statutorily created task force, announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 12, 2011, 1:30 p.m. – 3:30 p.m.

PLACE: 1801 Hermitage Boulevard, Third Floor, Conference Room, Tallahassee, Florida 32308. The meeting is in a secure building, so please call: (850)413-4702 upon arriving at the building so that an assistant can take you to the Third Floor, Conference Room.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the fifth meeting of the Task Force. The purpose of the phone conference meeting is for task force members to continue discussion regarding the best process for collecting and reporting information and members' recommendations, and to review a rough draft of the report. The members will also continue discussions regarding a timeline to accomplish its tasks and complete the report, the agenda for future meetings, and any other topics of concern to members.

A copy of the agenda may be obtained by contacting: Wanda Brazell, Administrative Assistant III, Florida Department of Financial Services, Division of Risk Management, 1801 Hermitage Boulevard, Tallahassee, FL 32308, (850)413-4702.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Wanda Brazell at (850)413-4702. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MILITARY AFFAIRS

The **Department of Military Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: December 5, 2011, 11:30 a.m.

PLACE: St. Augustine Officers Club, St. Francis Barracks, 82 Marine Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: National Guard Foundation Meeting. The National Guard will consider action on changes to the By-Laws, procedures, administration and other business relative to the National Guard Foundation.

A copy of the agenda may be obtained by contacting: Debbie Cox, (904)823-0690.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Debbie Cox, (904)823-0690. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Debbie Cox, (904)823-0690.

FLORIDA AUOMOBILE JOINT UNDERWRITING ASSOCIATION

The **FAJUA** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 5, 2011, 9:00 a.m.

PLACE: York Risk Services Group, Inc., 2170 W. State Road 434, Suite 494, Longwood, FL 32779

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review Claims Provider performance in claims handling and any other matters that may come before the committee.

A copy of the agenda may be obtained by contacting: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC.

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2011, 11:00 a.m.

PLACE: Stabile Trustees Boardroom, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance and Planning Committee.

A copy of the agenda may be obtained by contacting: Kris Butler, Moffitt Cancer Center, 12902 Magnolia Drive, MCC-VP, Tampa, FL 33612.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Kris Butler at (813)745-1888. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Moffitt Cancer Center** and Florida Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 29, 2011, 4:00 p.m.

PLACE: 1(888)808-6959, Conference Code: 508 866 1795

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cancer Control Research Advisory Council (CCRAB) Goal 1-System Capacity and Infrastructure General Informational Meeting by telephone.

A copy of the agenda may be obtained by contacting: Kimberley.buccini@moffitt.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Kimberley.buccini@moffitt.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kimberley.buccini@moffitt.org.

The **Moffitt Cancer Center** and Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 2, 2011, 10:00 a.m.

PLACE: 1(888)808-6959, Conference Code: 5088661795

GENERAL SUBJECT MATTER TO BE CONSIDERED: CCRAB Goal II Prevention: Discussion of items that were not covered on the 11/4/11 call and miscellaneous actions items.

A copy of the agenda may be obtained by contacting: Kimberley.Buccini@Moffitt.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Kimberley.Buccini@Moffitt.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kimberley.Buccini@Moffitt.org.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 25, 2011, 3:00 p.m.

PLACE: TRDA Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting of the Board of Directors – TRDA; General Meeting of the Board of Directors for the TRD Foundation to immediately follow.

A copy of the agenda may be obtained by contacting: Brenda McMillan: bmcmillan@trda.org, (321)872-1050, ext. 102.

ADVOCACY CENTER FOR PERSONS WITH DISABILITIES

The **Disability Rights Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 8, 2011, 9:00 a.m. – 5:00 p.m.

PLACE: The Hilton Garden Inn-Central, 1330 Blair Stone Road, Tallahassee, Florida 32301, (850)893-8300

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disability Rights Florida, Florida's Protection and Advocacy Programs Annual/Quarterly meeting of the Board of Directors. The Annual Board of Directors Election of Officers.

A copy of the agenda may be obtained by contacting: Paige Morgan, (850)488-9071, ext. 9721 or 1(800)342-0823.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Disability Rights Florida, 2728 Centerview Drive, Suite 102, Tallahassee, FL 32301, 1(800)342-0823, 1(800)346-4127 (TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 5, 2011, 1:30 p.m.

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the SSRC Board of Trustees.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell at (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 5, 2011, 3:00 p.m.

PLACE: CCOC, Department of Revenue, Building B2, Room 2103, Conference Room, 2450 Shumard Oak Blvd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Finance and Budget Workgroup.

A copy of the agenda may be obtained by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

CITIZENS PROPERTY INSURANCE CORPORATION

The Information Systems Advisory Committee of **Citizens Property Insurance Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, 1:30 p.m.

PLACE: Teleconference: 1(866)361-7525, ID: 486 964 1229#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the ISAC.

A copy of the agenda may be obtained by contacting: The Corporate website: <https://www.citizensfla.com> or Stephanie Martin at (850)519-3515.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stephanie Martin at (850)519-3515. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Citizens Property Insurance Corporation**, Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2011, 9:00 a.m. (EDT)

PLACE: The Peabody, 9801 International Drive, Orlando, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, Committee Reports.

A copy of the agenda may be obtained by contacting: Barbara Walker at 1(800)807-7647 or visiting our website: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker at 1(800)807-7647. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA INDEPENDENT LIVING COUNCIL, INC.

The **Florida Independent Living Council, Inc.** announces a public meeting to which all persons are invited.

MEETING: Full Council Meeting

DATES AND TIME: December 6-10, 2011, 9:00 a.m.

PLACE: Aloft Tallahassee Downtown, 200 N. Monroe Street, Tallahassee, Florida 32301, (850)513-0313

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee and Task Force Meetings. Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting.

Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing: Molly Gosline, Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or Toll Free 1(877)822-1993.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

FLORIDA INSTITUTE FOR THE COMMERCIALIZATION OF PUBLIC RESEARCH

The **Florida Institute for the Commercialization of Public Research** announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2011, 8:30 a.m.

PLACE: Florida Institute for the Commercialization of Public Research, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss an update of Board of Directors operations.

A copy of the agenda may be obtained by contacting: Teri Hart at teri.hart@florida-institute.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Teri Hart at teri.hart@florida-institute.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The **Hardee County Economic Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2011, 8:30, a.m.

PLACE: 412 W. Orange Street, Room 102, Wauchula, Florida 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting and then Joint Meeting with Industrial Development Authority/Economic Development Council to discuss funding of non-profits.

A copy of the agenda may be obtained by contacting: Sandy Meeks, (863)773-9430.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sandy Meeks, (863)773-9430. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Sandy Meeks, (863)773-9430.

ST. LUCIE COUNTY

The **St. Lucie Transportation Planning Organization (TPO)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 14, 2011, 2:00 p.m.

PLACE: St. Lucie County Walton Road Annex, 2nd Floor, Conference Room, 1664 S.E. Walton Road, Port St. Lucie, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the St. Lucie Local Coordinating Board for the Transportation Disadvantaged (LCB).

A copy of the agenda may be obtained by contacting: Marceia Lathou, Transit Program Manager, St. Lucie TPO, 2300 Virginia Avenue, Fort Pierce, Florida 34982, (772)462-1671.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: St. Lucie County Housing and Community Services Department, (772)462-1777. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Marceia Lathou, Transit Program Manager, St. Lucie TPO, 2300 Virginia Avenue, Fort Pierce, Florida 34982, (772)462-1671

FLORIDA LEAGUE OF CITIES

The **Florida League of Cities** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 8, 2011

10:00 a.m. FMLC Meeting

11:00 a.m. FMPTF Meeting

12:00 Noon Joint Luncheon FMPTF/FMIvT/FMLC

1:00 p.m. FMPTF/FMIvT Joint Meeting

2:00 p.m. FMIvT Meeting

PLACE: The Vinoy Hotel, 501 5th Avenue N.E., St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Trust meetings for The Florida Municipal Investment Trust, the Florida Municipal Pension Trust Fund Board of Trustees and the Florida Municipal Loan Council.

A copy of the agenda may be obtained by contacting: Linda Bridges, Director Board Relations, lbridges@flcities.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Bridges, Director Board Relations, lbridges@flcities.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Linda Bridges, Director Board Relations, lbridges@flcities.com.

SOIL AND WATER CONSERVATION DISTRICTS

The **Clay County Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday December 5, 2011, 1:00 p.m.

PLACE: Clay County Extension Office 2463 SR16 W., Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting.

A copy of the agenda may be obtained by contacting: Sally Doyle, (904)284-6355.

For more information, you may contact: Sally Doyle, (904)284-6355.

The **Broward Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: December 14, 2011; January 11, 2012; February 8, 2012; March 14, 2012; April 11, 2012; May 14, 2012; June 13, 2012; July 11, 2012; August 8, 2012; September 12, 2012; October 10, 2012; November 14, 2012; December 12, 2012, 5:00 p.m.

PLACE: 6191 Orange Drive, Room 6181P, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meeting.

A copy of the agenda may be obtained by contacting: Thaddeus Hamilton at (954)547-9115.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Thaddeus Hamilton at (954)547-9115. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Thaddeus Hamilton at (954)547-9115.

ENTERPRISE FLORIDA, INC.

The **Florida Defense Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 8:30 a.m.

PLACE: Residence Inn by Marriott, Tallahassee, Universities at the Capitol, 600 West Gaines Street, Tallahassee, FL 32304, (850)329-9080, Fax: (850)329-9070

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Heather Cave, (850)298-6640 or hcave@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Heather Cave, (850)298-6640. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Heather Cave, (850)298-6640 or hcave@eflorida.com.

FLORIDA SPORTS FOUNDATION

The **Florida Sports Foundation**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: November 28, 2011, 10:00 a.m.

PLACE: 2930 Kerry Forest Parkway, Suite 101, Tallahassee, FL 32309

GENERAL SUBJECT MATTER TO BE CONSIDERED: General orientation of newly-appointed Board of Directors.

A copy of the agenda may be obtained by contacting: info@flsports.com.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, Board of Governors' announces a telephone conference call to which all persons are invited.

DATES AND TIME: December 1, 6, 8, 13, 15, 20, 22, 27, 29, 2011, 10:00 a.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312, via conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: Contract review.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 2 days before the workshop/meeting by contacting: Jessica Brown at jbrown@fslso.com or 1(800)562-4496. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Surplus Lines Service Office**, National Clearinghouse Committee announces a telephone conference call to which all persons are invited.

DATES AND TIME: December 1, 6, 8, 13, 15, 20, 22, 27, 29, 2011, 10:00 a.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312, via conference call

GENERAL SUBJECT MATTER TO BE CONSIDERED: General matters to come before the Committee.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jessica Brown at jbrown@fslso.com or 1(800)562-4496. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGION IV TRAINING COUNCIL

The **CJSTC Region IV Training Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2011, 10:00 a.m.

PLACE: Santa Fe College Institute of Public Safety, 3737 N.E. 39th Avenue, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting to approve proposed CJSTC Region IV Officers Training Monies Operating Budget for FY 2012/2013.

A copy of the agenda may be obtained by contacting: Kathyleen Hardage, Santa Fe College Institute of Public Safety, (352)271-2943 or email: kathyleen.hardage@sfcollge.edu.

For more information, you may contact: Kathyleen Hardage, Santa Fe College Institute of Public Safety, (352)271-2943, mail: Santa Fe College Institute of Public Safety, 3737 N.E. 39th Avenue, Gainesville, Florida 32609 or email: kathyleen.hardage@sfcollge.edu.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The **Florida Birth-Related Neurological Injury Compensation Association**, Medical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2011, 1:00 p.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Blvd., Orlando, Florida 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

ENGINEERING AND PLANNING RESOURCES

The **Escambia County**, in conjunction with the Florida **Department of Transportation**, District 3 announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, 5:30 p.m. – 7:00 p.m.

PLACE: Cokesbury United Methodist Church, Asbury Place Facility, 5725 N. 9th Avenue, Pensacola, Florida 32504

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public meeting is being conducted to present the project progress to date and obtain input from community residents, business owners, property owners and other interested stakeholders concerning the proposed project alternatives being considered on SR 289 (Ninth Avenue) Corridor.

The SR 289 (Ninth Avenue) Project Development and Environment (PD&E) Study project limits are from Underwood Avenue to State Road 742 (Creighton Road).

A copy of the agenda may be obtained by contacting: Jim Waite, BDI at (850)430-1716 or e-mail: jwaite@baskerville-donovan.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jim Waite, Study Team Public Involvement Manager at (850)430-1716 or e-mail: jwaite@baskerville-donovan.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

The Florida **Department of Transportation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 6, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Miami Springs Country Club, Majestic Room, 650 Curtis Parkway, Miami Spring, FL 33166

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a Public Information meeting for a roadway project on State Road (SR) 948/NW 36 Street from Lee Drive to East SR 25/US 27/Okeechobee Road, in the Cities of Hialeah and Miami Spring, to discuss the project's design and scope work. The project identification number is: 425979-1-52-01. The public information meeting will follow an informal, open house format allowing the public to arrive at any time from

6:00 p.m. – 8:00 p.m. Graphic displays will be shown and FDOT representatives will be available to discuss the project and answer questions about the project.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas at (305)470-5349, email: Amparo.Vargas@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, Florida 33172, email: brian.rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Public Information Specialist Amparo Vargas at (305)470-5349, email: Amparo.Vargas@dot.state.fl.us.

The Florida **Department of Transportation**, District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Kendale Lakes Branch Library, 15205 S.W. 88th Street (Kendall Drive), Miami, FL 33196

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a public meeting for a roadway project on State Road (SR) 997/Krome Avenue from Kendall Drive/SW 88 Street to SW 8 Street to discuss the project’s design and scope of work. The project identification number is: 249614-3-52-01. The public meeting will follow an informal, open house format allowing the public to arrive at any time from 6:00 p.m. – 8:00 p.m. Graphic displays will be shown at the meeting, and FDOT representatives will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas at (305)470-5349, email: amparo.vargas@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: brian.rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Public Information Specialist, Amparo Vargas at (305)470-5349, email: amparo.vargas@dot.state.fl.us.

URS CORPORATION – MIAMI

The Florida **Department of Transportation** announces a workshop to which all persons are invited.

DATE AND TIME: December 15, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Intercontinental Hotel, 2505 N.W. 87 Avenue, Doral, FL 33172

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an Alternatives Public Workshop for a Project Development and Environment (PD&E) Study along SR 826/Palmetto Expressway from SR 836/Dolphin Expressway to SR 932/NW 103 Street in Miami-Dade County.

A copy of the agenda may be obtained by contacting: Judy Solaun-Gonzalez, P.E. at (305)470-5207.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Nicholas Danu, P.E. at (305)470-5219. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Judy Solaun-Gonzalez, P.E. at (305)470-5207.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Lawrence C. Gibel, President, In Re: Bayshore Club Management Association, Inc., Docket No. 2011047976 on October 3, 2011. The following is a summary of the agency’s declination of the petition:

The Division declined to issue a Declaratory Statement because Petitioner has not provided a statement of qualifications allowing him to petition for a declaratory statement on behalf of the association; and because the petition concerns events that have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Wayne H. Allen, Jr., Unit Owner, In Re: Legacy Dunes Condominium Association, Inc., Docket No. 2011049302 on October 7, 2011. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because it cannot issue a statement concerning events that have already taken place; or when the petition does not address a statute, rule, or division order.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Ted A. Bickoff, General Plumbing, Inc. on September 16, 2011. The following is a summary of the agency's disposition of the petition:

Whether a building contractor can install a pool lift by drilling into the existing pool deck, installing a socket, and providing an independent water supply. The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 41, of the October 14, 2011, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on October 14, 2011. The Board's Order, filed on November 14, 2011, issues a declaratory statement that a building contractor is not licensed to install a pool lift as described in the petition. Pursuant to Section 489.105(3), Florida Statutes, the requested pool services are outside the scope of a building contractor.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, Post Office Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Board of Dentistry has issued an order disposing of the petition for declaratory statement filed by Hal J. Levine, D.M.D on July 18, 2011. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 37, No. 30, of the July 29, 2011, Florida Administrative Weekly and asked whether a dentist may dispense Hydrocodone & Acetaminophen 5mg/500mg and Hydrocodone & Acetaminophen 7.5 mg/750mg prescriptions for sedated patients. The Board considered the Petition at a duly-noticed public meeting held on August 12, 2011 and October 28, 2011. The Board's Order, filed on November 14, 2011, finds that Petitioner has complied with the requirements of Section 120.565 of the Florida Statutes and Rule 28-105.002, Florida Administrative Code. The Board of Dentistry issues a declaratory statement in the negative and finds Petitioner may not dispense a controlled substance containing Hydrocodone, a Scheduled II controlled substance, to just any patient that may require sedation.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

Please refer all comments to: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN that on November 2, 2011, the Board of Pharmacy has received the petition for declaratory statement from Jennifer Fass, PharmD, CPh., on behalf of Nova Southeastern University. The petition seeks the agency's opinion as to the applicability of subsection 64B16-28.108(2), Florida Administrative Code, and Section 465.003(6), F.S. as it applies to the petitioner.

The petition seeks the Board's interpretation of subsection 64B16-28.108(2), Florida Administrative Code, and Section 465.003(6), F.S., regarding the definition of dispensing as it relates to Patient Assistance Program medications being shipped for patients to a doctor's office and provided to patients by the pharmacists.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Bogen Law Group, P.A., and Mark Bogen on June 2, 2011. The following is a summary of the agency’s disposition of the petition:

The agency has determined that Section 626.9541(1)(h), Florida Statutes when read in pari materia with Sections 626.753 and 626.112(8), Florida Statutes, does not prohibit Bogen from receiving the proposed referral fee, and would not prohibit Michelson from paying the referral fee, provided the payment is not intended as an inducement and is not contingent upon the purchase of an insurance policy. Because the Petition does not indicate how the “legal plan” referenced in Paragraph 5 (e) of the Petition is exempt from regulation pursuant to Section 642.017(1), Florida Statutes, as asserted, and because the “specified legal services” offered thereunder are not sufficiently described as to nature, content, terms, or conditions, no opinion can be offered as to the propriety of that plan or the methods through which it may be offered to customers of the Agent, or to others. The declaratory statement does not and cannot state whether the proposed contractual agreement is permitted by the Rules Regulating the Florida Bar.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Michael Davidson, Assistant General Counsel, Department of Financial Services, Division of Legal Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333.

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed on or about November 3, 2011, from Assistant Fire Chief Darren White on behalf of Fort Myers Beach Fire Control District. This case has been assigned #121574-11-FM. The Petitioner seeks a declaratory statement concerning the application of National Fire Protection Association Standards 101-29.3.2 and 101-29.3.2.2.2 (2006 edition), to a gift or retail shop in excess of 400 square feet, which adjoins a principle means of egress in an existing hotel.

A copy of the Petition may be obtained by contacting: Tina White, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4132, Fax: (850)488-0697, e-mail: Tina.White@myfloridacfo.com.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

Notice of Bid

The University of Florida, Purchasing Services will receive sealed bids for the following: ITB12MB-130, Repaving – Parking Areas and Access Road – WO#1382602, estimated budget \$200,000.00-\$500,000.00, to be opened December 14, 2011 at 10:00 a.m., 101 Elmore Hall, Radio Road, Gainesville, FL.

Scope of work: The work includes milling of existing asphalt and resurfacing of existing paved areas in the three (3) separate parking lots or driveway areas located throughout the UF Campus. See bid documents at website below.

Mandatory pre-bid meeting will be held: December 6, 2011, 10:00 a.m., PPD Building 700, Room 150, S.W. Radio Road, Gainesville, FL with optional site visit to follow. Doors will be locked promptly at 10:00 a.m. Questions should be directed to: Mercedes Bongiovanni, moongio@ufl.edu or (352)392-1331, ext. 210. For more information visit: www.purchasing.ufl.edu. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact: Purchasing, purchasing@ufl.edu or (352)392-1331, within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University announces that Professional Services in the discipline of Architecture will be required for the project listed below:

Project No. FS – 298

Asian Art Study Center

Ringling Museum, Florida State University, Sarasota, Florida

The Asian Art Study Center project consists of approximately 30,000 gsf of new and renovated gallery, exhibition, educational, administrative, and support space to display and accommodate the Asian Art Collection in The Art Museum's West Wing and adjacent areas at the Ringling Museum in Sarasota, Florida. The design of the Asian Art Study Center needs to be completely integrated and connected to existing facilities. Some of the key spaces planned include permanent and temporary gallery and exhibition spaces, class/seminar /lecture spaces, paper storage, small objects storage, catering with prep-space, and a signature lobby/entrance.

The selected firm may be asked to master plan/space plan the entire Art Museum/adjacent areas for integration into the campus facilities. FSU also reserves the right to contract with the selected firm to design/plan any additional/related work on the Ringling campus as it relates to this project.

The selected architectural firm will be required to provide program verification, design, construction documents, and construction administration for the referenced project, which is currently budgeted at \$6,250,000 for construction. The project delivery system will be by construction management. Blanket professional liability insurance for this project in the amount of \$1,000,000 must be provided as a part of Basic Services.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application must have attached:

1. A completed Florida State University "Professional Qualifications Supplement", dated August, 2003. Applications on any other form, or on versions dated prior to August 2003, will not be considered. The PQS may be downloaded from our website: www.facilities.fsu.edu/FDC/. Applicant firms are reminded that only civil, mechanical and structural engineering, and landscape consultants are allowed on their applications. Architectural

and specialty consultants, including museum or exhibit designers, are prohibited and are cause for disqualification. Firms may submit as a joint venture.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida. Note: The location ratings will be based on the following criteria: in-state firms will receive 1 point and out-of-state firms will receive 0 points.

Submit six (6) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

Submittals must be received in the above office, by 2:00 p.m. (Local Time), Thursday, January 5, 2012. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained through our website: www.facilities.fsu.edu/FDC/ or by contacting: Lynetta Mills, Facilities Design & Construction, 969 Learning Way, Florida State University, Tallahassee, Florida 32306-4152, Suite 109 MMA, (850)644-3591 telephone, (850)644-8351 facsimile.

The Project Fact Sheet and the Facility Program are available to be downloaded from our website: www.facilities.fsu.edu/FDC/. For further information on the project, contact: Lawrence R. Rubin, Director, at the address above, at: lrubin@admin.fsu.edu or at (850)644-3591.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Official notification of the results of the short listing will be posted on the FSU Facilities Design & Construction website. Interview times for finalists will be posted at this web site address, as well.

After the interviews, the Selection Committee will make an award recommendation to the University President. Upon approval of the recommendation by the President, official notification of the final ranking of firms shall be posted on the

FSU Facilities Design & Construction website. Negotiations will be conducted in accordance with Section 287.055, Florida Statutes.

REQUEST FOR PROPOSAL

FOR CAMPUSWIDE SECURITY CAMERAS

The Florida School for the Deaf and the Blind, 207 North San Marco Avenue, St. Augustine, Florida 32084 is requesting proposals from qualified Security Camera contractors for the installation of an IP video surveillance system, which will provide comprehensive security coverage of the outdoor areas of the campus. This system will incorporate the existing camera system. The contractor will provide and configure all software and equipment, including switches, to create a secure network, which utilizes the campus fiber infrastructure to distribute the video to security stations and archival devices. The contractor shall be responsible for connecting cameras to network and power sources, trenching if necessary, and the erection of poles or mounting on existing structures. Archival devices must provide at least thirty days of storage. The contractor shall be an authorized reseller of all products specified. A 24-hour response time for service is required. The contractor shall provide a replacement for all products specified, or approved alternate. A one-year on site warranty is required. The contractor shall have a Florida low voltage license. The contractor shall have a staffed office within 50 miles of the campus.

Campus Specifications and Requirements packages shall be obtained at: The Eddie Gobble Pavilion, adjacent to Police Services, Building #76 at the Mandatory Pre-Proposal Conference on December 20, 2011, 10:00 a.m.

Proposals will be accepted until 3:00 p.m., January 10, 2012, in the Purchasing Department in the Stores and Receiving, Building #28. Proposals will be opened, reviewed and evaluated. After the firms have been evaluated based on their proposals, no fewer than 3 firms with the highest scores will be more closely considered through a presentation of their approach to perform this particular project.

As the best interest of the State may require, the right is reserved to reject any and all proposals or waive any minor irregularity or technicality in proposals received. Proposers are cautioned to make no assumptions regarding the intent of this request. The proposer should contact FSDB if he has any concerns regarding specifics of this request.

Any person with a qualified disability requiring special accommodations at the Pre-Proposal Meeting shall contact: John Connor, Purchasing Director, (904)827-2356 at least five (5) working days prior to the event. If you are hearing or

speech impaired, please contact this office by using the Florida Relay Services which can be reached at 1(800)955-8771 (TDD).

Certified Minority Business Enterprises are encouraged to participate in the process.

ADVERTISEMENT FOR BIDS

The School Board of Pinellas County, Florida will receive sealed bids in the Purchasing Department of the School Board of Pinellas County, Florida 301 – Fourth Street S.W., Largo, Florida 33770-3536 until 3:00 p.m. (Local Time), January 10, 2012, for the purpose of selecting a Contractor for supplying all labor, material, and ancillary services required for the scope listed below.

SEALED BID NO.: 12-968-127

BID TITLE: Sanitary Line Renovation

DUE DATE/TIME: January 10, 2012, 3:00 p.m. (ET)

SCOPE OF PROJECT: This bid will select a “Plumbing Contractor”. The work shall consist of furnishing all materials, labor, tools, equipment and supervision required to provide the detailed the abstract scope below.

SCOPE OF DEMOLITION WORK:

The scope of the demolition plumbing and masonry work is described in drawing provided; see paragraph in this bid for acquiring.

1. Replacement of all sanitary sewer pipe as outlined in the kitchen area.
2. Abandoning sanitary sewer pipe serving the existing grease interceptor.
3. Removal/disposal of the existing grease interceptor.
4. Removal of the pipe carrier serving the dishwasher.
5. Removal of the floor drains with or without funnel.
6. Creating trench on the kitchen floor, dining area floor as well as outside.

SCOPE OF NEW WORK:

The scope of the new plumbing and masonry work is described in drawing.

1. Install one 1250 gallon capacity grease interceptor as shown on the drawing.
2. Extend all new sanitary sewer piping and connect to the existing piping as well as to the grease interceptor outside on the east side of the kitchen.
3. Install all new schedule 40 PVC pipe in the kitchen and extend to either existing or new floor drains. This pipe to be extended out for discharge into the new grease interceptor.
4. All patch work outside in the asphalt shall be with reinforced concrete.

5. Provide and install floor drain, floor drain with high funnel, floor drain with low funnel, clean out for outdoor and indoor application.
6. Retile the trench opening in the kitchen; tile selection shall match existing tiles in place.
7. Application of VCT to cover the trench opening in dining room; VCT selection shall match existing VCT in place.
8. Extend the existing condensate drain from exposed unit ventilator serving the teacher's lounge to the outside. Any wall penetration for this pipe shall be sleeved and caulked. Maintain the proper pitch on the pipe for proper flow. Refer to the drawing P-1 for exact point of discharge. This pipe shall be insulated with 1/2" Armaflex, with a fire and smoke not to exceed 25/50.
9. Test the system for operation prior to turning over to owner.
10. All work shall be coordinated and scheduled with the school personnel and project leader.
11. Protect underground Utilities.

BID & PERFORMANCE SECURITY: Bid and Performance Security is required with this bid.

PRE-BID CONFERENCE: A pre-bid conference will be held at the Main Office of Lakewood High School located at 1400 – 54th Avenue South, St. Petersburg, FL 33705 on December 7, 2011, 1:00 p.m. (Sign-in at the front desk, and you will be escorted to the pre-bid room for the “official” sign-in). Attendance at this pre-bid conference is **MANDATORY** in order for all potential bidders to receive the benefit of answers to theirs and other’s technical questions first hand. If you are not the prime bidder but are attending on behalf of someone else, please make note of this when signing the attendance roster where indicated. We apologize for any inconvenience this may cause you, but it is imperative that all information be disseminated in a public forum with all potential bidders present to minimize confusion or misunderstandings. Additions or changes to the original bid documents resulting from this conference of a material nature, will be documented in the form of written addenda and distributed to all attendees. Please note that if you are late to this mandatory pre-bid conference you will not be eligible to sign the attendance roster and therefore may not submit a bid. You may still, however, attend the conference if you wish.

Purchasing Department
301 Fourth Street, S.W.
Largo, Florida 33770
(727)588-6149
(727)588-6129 (Fax)

The Owner reserves the right to reject all bids.

BY ORDER OF THE SCHOOL BOARD OF PINELLAS COUNTY, FLORIDA

DR. JULIE M. JANSSEN, ED. D CAROL J. COOK
SUPERINTENDENT OF SCHOOLS CHAIRMAN
AND EX-OFFICIO SECRETARY

TO THE SCHOOL BOARD LINDA BALCOMBE
DIRECTOR, PURCHASING

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Florida Department of Transportation Project
Bids will be received by the District Six Contracts Office until 10:00 a.m., Thursday, December 8, 2011, for Proposal ID E-6H32 for a Bathroom Renovation project located at the Adam Leigh Cann Building in Miami-Dade County. Budget Estimate \$243,978.00. Complete letting advertisement information for this project is available on our website at <http://www.dot.state.fl.us/contractsadministrationdistrict6/Lettings/2011/letting12.shtm> or by calling (305)470-5404.

REGIONAL PLANNING COUNCILS

REQUEST FOR STATEMENTS OF QUALIFICATIONS TO TEACH THE 160 HOUR HAZARDOUS MATERIALS TECHNICIAN CLASS FROM THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS IN NORTH CENTRAL FLORIDA

The North Central Florida Regional Planning Council is accepting statements of qualifications from qualified hazardous materials emergency response instructors to teach classes related to 29 CFR 1910.120(q).

Potential instructors are required to submit 5 bound qualification statements that include at least the following data, in the order listed below:

1. A copy of Florida State Fire College Instructors certificate.
2. Qualifications demonstrating the ability to teach the IAFF 160 hour hazmat technician class.
3. Summary of experiences with hazardous materials emergency response, especially in North Central Florida.
4. Knowledge of relevant standards relating to training from the Florida State Emergency Response Commission and from the U.S. Department of Transportation Hazardous Materials Emergency Preparedness program.
5. A signed commitment to teach the class during the desired time frame and within the proposed budget.

Comments:

1. It is anticipated that the pay for this class will be \$500 per eight hour day and \$250 per four hour class. Some limited travel funds may be available.

2. The next class is anticipated to start in January 2012 and consist of two four-hour night classes and one eight hour Saturday class per week.
3. The location of the class is anticipated to be at the Gilchrist County Emergency Operations Center located in Bell, Florida.
4. Questions regarding submissions shall be during business hours of 8:00 a.m. to 4:30 p.m., Eastern Standard Time, and directed to: Dwayne Mundy, (352)955-2200, ext. 108.

Sealed submissions shall be titled "North Central Florida Local Emergency Planning Committee Hazardous Materials Instructor" and shall be received no later than Wednesday, December 7, 2011, 2:00 p.m. (Eastern Standard Time). Facsimile or email submissions of the Statement of Qualifications will not be accepted.

Attention: Dwayne Mundy

Public Safety and Regulatory Compliance Programs Director
 North Central Florida Regional Planning Council
 2009 N.W. 67th Place, Gainesville, FL 32653-1603

A public meeting will be held by the North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida on Wednesday, December 7, 2011, 2:00 p.m. (Eastern Standard Time), to open the qualifications and review qualifications. The instructor(s) will be ranked at a public meeting of the North Central Florida Local Emergency Planning Committee (District 3) being held on December 8, 2011, 10:00 a.m. (Eastern Standard Time), being held at SiVance LLC, 4044 N.E. 54th Ave., Gainesville, Florida.

PETER R. BROWN CONSTRUCTION, INC.

NOTICE OF REQUEST FOR PROPOSALS
 Florida Department of Health
 Project # DOH 71105100
 Viera Health Clinic Expansion
 Viera, Florida

Peter R. Brown Construction, Inc., an Atkins company, (CGC-048719), the Construction Manager for the Florida Department of Health, Brevard County Health Department – Viera Health Clinic Expansion hereby solicits proposals for the referenced project in accordance with the proposal documents to include but not limited to the following:

The Scope of Work for this project includes but is not limited to the following:

01A	Material Testing	07A	Dampproofing & Waterproofing Membrane	10E	Operable Partitions
01B	Construction Facilities	07C	Roofing	10J	Fire Protection Specialties
01D	Temporary Barriers	08A	Doors, Frames & Hardware	21A	Fire Suppression Systems
01F	Construction Waste Management & Disposal	08D	Aluminum Entrances & Storefronts	22A	Plumbing
01G	Final Cleaning	09A	Plaster Assemblies	23A	HVAC
02A	Surveying	09B	Gypsum Board Assemblies	26A	Electrical Systems
02F	Selective Demolition	09C	Tiling	27A	Structured Cabling
03A	Cast In Place Concrete	09D	Acoustical Ceilings	28A	Electronic Access Control
03H	Concrete Cutting & Boring	09G	Flooring	28C	Fire Detection & Alarm
04A	Masonry	09M	Painting	31A	Sitework
05A	Structural Steel Framing	10B	Signage	32A	Fences & Gates
06D	Architectural Woodwork/ Cabinets	10C	Toilet Accessories	32C	Landscaping & Irrigation

A pre-proposal meeting will be held at 1:00 p.m. (Local Time); Thursday, December 8, 2011 at the following location:

Brevard County Health Department
 2555 Judge Fran Jamieson Way
 Viera, Florida 32940

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m., December 20, 2011. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened.

All interested subcontractors must be pre-qualified or have completed the pre-qualification process within the last year. Subcontractors must submit pre-qualification prior to December 9, 2011, in order to be considered for this project. Pre-qualification information and forms can be obtained through the Peter R. Brown Construction, Inc. website (www.peterbrownconstruction.com) or by contacting the Peter R. Brown Construction, Inc. Southern Region Estimating Department at (727)535-6407.

Florida Department of Health and Peter R. Brown Construction, Inc. are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

Proposal documents will be made available on November 30, 2011 Proposal documents will be available via the Peter R. Brown Construction FTP site only. Each pre-qualified

subcontractor will be provided the FTP site log-in. Subcontractors are responsible for all printing and shipping costs if hard copies of the proposal documents are requested.

Florida Department of Health and Peter R. Brown Construction, Inc. reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda or Supplement. All questions regarding the work should be directed to: Construction Manager, in writing by December 9, 2011. The Owner and Architect will not accept calls regarding this project.

All future updates regarding this project will only be posted on the Peter R. Brown Construction, Inc. website (www.peterbrownconstruction.com) or corresponding FTP site.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DEO Final Order No.: DEO-11-0030
 In re: MONROE COUNTY LAND
 DEVELOPMENT REGULATIONS
 ADOPTED BY MONROE COUNTY
 ORDINANCE NO. 014-2011

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On October 20, 2011, the Department received for review Monroe County Ordinance No. 014-2011 ("Ord. 014-2011"), adopted by Monroe County on September 21, 2011.
3. The purpose of Ord. 014-2011 is to establish Monroe County Code Section 114-21, Recycling, to implement a recyclable materials recycling program for multifamily and nonresidential development.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes and § 380.0552(9), Florida Statutes (2010).
 5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
 6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 014-2011 are land development regulations.
 7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Florida Statutes. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
 8. Ord. 014-2011 is consistent with and furthers the following Principles:
 - (a) To strengthen a local government's capabilities for managing land use and development so that the local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
 - (h) Protecting the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments.
 - (k) To limit the adverse impacts of public investments on the environmental resources of the Florida Keys.
 - (n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.
 9. Ord. 014-2011 is consistent with the Principles for Guiding Development as a whole.
 10. Ord. 014-2011 furthers Monroe County Comprehensive Plan Objectives 801.4 and 801.7.
- WHEREFORE, IT IS ORDERED that Ord. 014-2011 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
J. Thomas Beck, AICP
Director, Division of Community Planning
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, Florida 32399-4128

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE

REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE: AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 15th day of November, 2011.

/s/ _____
Miriam Snipes, Agency Clerk

By U.S. Mail:
Honorable Heather Carruthers
Mayor of Monroe County
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DEO Final Order No.: DEO-11-0029
In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 013-2011

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and 380.0552(9), Florida Statutes (2010), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On October 18, 2011, the Department received for review Monroe County Ordinance No. 013-2011 ("Ord. 013-2011"), adopted by Monroe County on September 21, 2011.
3. The purpose of Ord. 013-2011 is to amend Monroe County Code Section 114-67(c), Required Offstreet Parking, Required Number of Offstreet Parking Spaces to revise the minimum parking standard for multifamily residential dwelling units.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010).

5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 013-2011 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Florida Statutes. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 013-2011 is consistent with and furthers the following Principles:
 - (a) To strengthen a local government's capabilities for managing land use and development so that the local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (f) To enhance natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
 - (n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.
9. Ord. 013-2011 is consistent with the Principles for Guiding Development as a whole.
10. Ord. 013-2011 furthers Monroe County Comprehensive Plan Policy 301.8.2.

WHEREFORE, IT IS ORDERED that Ord. 013-2011 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
J. Thomas Beck, AICP
Director, Division of Community Planning
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, Florida 32399-4128

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 16th day of November, 2011.

Miriam Snipes, Agency Clerk

By U.S. Mail:
Honorable Heather Carruthers
Mayor of Monroe County
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
 Clerk to the Board of County Commissioners
 500 Whitehead Street
 Key West, Florida 33040

Christine Hurley
 Growth Management Director
 2798 Overseas Highway, Suite 400
 Marathon, Florida 33050

DEO Final Order No.: DEO-11-0031
 In re: MONROE COUNTY LAND
 DEVELOPMENT REGULATIONS
 ADOPTED BY MONROE COUNTY
 ORDINANCE NO. 015-2011

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and 380.0552(9), Florida Statutes (2010), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On October 20, 2011, the Department received for review Monroe County Ordinance No. 015-2011 ("Ord. 015-2011"), adopted by Monroe County on September 21, 2011.
3. The purpose of Ord. 015-2011 is to amend Monroe County Code Section 138-22, Type of Development Not Affected, to incorporate criteria for Residential Rate of Growth Ordinance (ROGO) Exemptions. The County recognizes lawfully established units that were in place as of 1992 when the ROGO Ordinance was adopted. Ord. 015-2011 will grandfather lawfully established structures through a review process that requires documents from various sources including the property appraiser records, building permits, aerial photographs, state and county licenses, utility records county directories, rental lease documents, and personal affidavits.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010).

5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 015-2011 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Florida Statutes. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 015-2011 is consistent with and furthers the following Principles:
 - (a) To strengthen a local government's capabilities for managing land use and development so that the local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.
9. Ord. 015-2011 is consistent with the Principles for Guiding Development as a whole.
10. Ord. 015-2011 furthers Monroe County Comprehensive Plan Policy 101.4.23.

WHEREFORE, IT IS ORDERED that Ord. 015-2011 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/
 J. Thomas Beck, AICP
 Director, Division of Community Planning
 Department of Economic Opportunity
 107 East Madison Street, MSC 110
 Tallahassee, Florida 32399-4128

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING ACTION. DEPENDING UPON WHETHER

YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 16th day of November, 2011.

/s/ _____
Miriam Snipes, Agency Clerk

By U.S. Mail:
Honorable Heather Carruthers
Mayor of Monroe County
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DEO Final Order No.: DEO-11-0032

In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 016-2011

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and 380.0552(9), Florida Statutes (2010), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On October 20, 2011, the Department received for review Monroe County Ordinance No. 016-2011 ("Ord. 016-2011"), adopted by Monroe County on September 21, 2011.
3. The purpose of Ord. 016-2011 is to amend Monroe County Code Section 101-1, Definitions, and Section 118-12(M)(4), Shoreline Setback, Docking Facilities, Adjacent Parcel to clarify what elements of a docking facility may be permitted on adjacent parcels of land. Ord. 016-2011 contains definitions and text to facilitate the construction of docks on adjacent lots that are not physically contiguous with the principle use single family or duplex home owned by the applicant.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 016-2011 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Florida Statutes. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 016-2011 is consistent with and furthers the following Principles:

- (a) To strengthen a local government's capabilities for managing land use and development so that the local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.
9. Ord. 016-2011 is consistent with the Principles for Guiding Development as a whole.
 10. Ord. 016-2011 furthers Monroe County Comprehensive Plan Goal 212, Objective 212.5 and Policy 212.5.2.

WHEREFORE, IT IS ORDERED that Ord. 016-2011 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
 J. Thomas Beck, AICP
 Director, Division of Community Planning
 Department of Economic Opportunity
 107 East Madison Street, MSC 110
 Tallahassee, Florida 32399-4128

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A

WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 16th day of November, 2011.

/s/ _____
Miriam Snipes, Agency Clerk

By U.S. Mail:

Honorable Heather Carruthers
Mayor of Monroe County
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DEO Final Order No.: DEO-11-0033

In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 017-2011

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and 380.0552(9), Florida Statutes (2010), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On October 20, 2011, the Department received for review Monroe County Ordinance No. 017-2011 (“Ord. 017-2011”), adopted by Monroe County on September 21, 2011.
3. The purpose of Ord. 017-2011 is to amend Monroe County Code Section 110-5, Notice, Section 110-69, Minor Conditional Uses, and Section 110-70, Major Conditional Uses, to modify the procedure for public notice of, and revise the process for reviewing minor and major conditional use permit applications.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 017-2011 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in § 380.0552(7), Florida Statutes. See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 017-2011 is consistent with and furthers the following Principles:
 - (a) To strengthen a local government’s capabilities for managing land use and development so that the local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.
9. Ord. 017-2011 is consistent with the Principles for Guiding Development as a whole.
10. Ord. 017-2011 furthers the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ord. 017-2011 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

_____/s/_____
 J. Thomas Beck, AICP
 Director, Division of Community Planning
 Department of Economic Opportunity
 107 East Madison Street, MSC 110
 Tallahassee, Florida 32399-4128

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE

OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 16th day of November, 2011.

/s/ _____
Miriam Snipes, Agency Clerk

By U.S. Mail:

Honorable Heather Carruthers
Mayor of Monroe County
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of AutoNation Dodge of Pembroke Pines Inc., as a dealership for the sale and service of Chrysler passenger cars and light trucks manufactured by Chrysler (line-make CHRY) at 13601 Pines Boulevard, Pembroke Pines (Broward County), Florida 33027, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of AutoNation Dodge of Pembroke Pines, Inc., are dealer operator(s): James Bender, 200 Southwest 1st Avenue, Fort Lauderdale, Florida 33301; principal investor(s): James Bender, 200 Southwest 1st Avenue, Fort Lauderdale, Florida 33301 and Michael E. Maroone, 200 Southwest 1st Avenue, Fort Lauderdale, Florida 33301.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of AutoNation Dodge of Pembroke Pines, Inc., as a dealership for the sale and service of Jeep passenger cars and light trucks manufactured by Chrysler (line-make JEEP) at 13601 Pines Boulevard, Pembroke Pines (Broward County), Florida 33027, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of AutoNation Dodge of Pembroke Pines, Inc., are dealer operator(s): James Bender, 200 Southwest 1st Avenue, Fort Lauderdale, Florida 33301; principal investor(s): James Bender, 200 Southwest 1st Avenue, Fort Lauderdale, Florida 33301 and Michael E. Maroone, 200 Southwest 1st Avenue, Fort Lauderdale, Florida 33301.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Aventura CJ, LLC, as a dealership for the sale of Chrysler passenger cars and light trucks manufactured by

Chrysler (line-make CHRY) at 2198 Northeast 163rd Street, North Miami Beach (Miami-Dade County), Florida 33162, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Aventura CJ, LLC, are dealer operator(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Barry Freider, 6200 Northwest 167th Street Building B, Miami Lakes, Florida 33014; principal investor(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Tiffany Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Ayla Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Alura Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Alexander Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Andi L. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014, Adam V. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014 and Cole F. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Aventura CJ, LLC, as a dealership for the service of Chrysler, Dodge and Jeep passenger cars and light trucks manufactured by Chrysler (line-make CHRY) at 16050 West Dixie Highway, North Miami Beach (Miami-Dade County), Florida 33160, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Aventura CJ, LLC, are dealer operator(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Barry Freider, 6200 Northwest 167th Street Building B, Miami Lakes, Florida 33014; principal investor(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Tiffany Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Ayla Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Alura Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Alexander Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Andi L. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014, Adam V. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014 and Cole F. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco LLC, intends to allow the establishment of Aventura CJ, LLC, as a dealership for the sale of Dodge passenger cars and light trucks manufactured by Chrysler (line-make DODG) at 2198 Northeast 163rd Street, North Miami Beach (Miami-Dade County), Florida 33162, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Aventura CJ, LLC, are dealer operator(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale,

Florida 33301 and Barry Freider, 6200 Northwest 167th Street Building B, Miami Lakes, Florida 33014; principal investor(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Tiffany Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Ayla Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Alura Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Alexander Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Andi L. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014, Adam V. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014 and Cole F. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Aventura CJ, LLC, as a dealership for the sale of Jeep passenger cars and light trucks manufactured by Chrysler (line-make JEEP) at 2198 Northeast 163rd Street, North Miami Beach (Miami-Dade County), Florida 33162, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Aventura CJ, LLC, are dealer operator(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Barry Freider, 6200 Northwest 167th Street Building B, Miami Lakes, Florida 33014; principal investor(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida

33301, Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Tiffany Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301, Ayla Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Alura Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Alexander Potamkin, 1 Casuarina Concourse, Coral Gables, Florida 33134, Andi L. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014 and Adam V. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014 and Cole F. Potamkin, 7714 Fisher Island Drive, Fisher Island, Florida 33014.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Irbit Motorworks of America, Inc., intends to allow the establishment of Faberge Group, LLC, d/b/a Ural of Naples as a dealership for the sale of motorcycles manufactured by Ural Motorcycles (line-make URAL) at 9010 Gulf Shore Drive, Naples (Collier County), Florida 34108, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Faberge Group, LLC, d/b/a Ural of Naples are dealer operator(s): Jack Sherman, 9010 Gulf Shore Drive, Naples, Florida 34108; principal investor(s): Jack Sherman, 9010 Gulf Shore Drive, Naples, Florida 34108.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Charles Schram, Irbit Motorworks of America, Inc., 15205 Northeast 95th Street, Redmond, Washington 98052.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zero Motorcycles, Inc., intends to allow the establishment of Florida Motorcycle Training of Lake County, Inc., d/b/a Saferide as a dealership for the sale of motorcycles manufactured by Zero Motorcycles, Inc. (ZERO line-make) at 355 Plaza Drive, Eustis (Lake County), Florida 32726, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Florida Motorcycle Training of Lake County, Inc. are dealer operator(s): Bradley Washo, 355 Plaza Drive, Eustis, Florida 32726, principal investor(s): Bradley Washo, 355 Plaza Drive, Eustis, Florida 32726.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Lloyd, Zero Motorcycles, Inc., 170 Technology Circle, Scotts Valley, California 95066.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Italian Design Automotive Group, LLC, d/b/a FIAT of North Miami as a dealership for the service of FIAT passenger cars manufactured by Chrysler (line-make FIAT) at 2065 Northeast 151st, North Miami Beach (Miami-Dade County), Florida 33162, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Italian Design Automotive Group, LLC, d/b/a FIAT of North Miami are dealer operator(s): Fernando Arellano Geddes, 8360 West Flagler Street, Suite 200, Miami, Florida 33144; principal investor(s): Hugo Enrique Belcastro, 8360 West Flagler Street, Suite 200, Miami, Florida 33144 and Diego A. Sanchez Navarro, 8360 West Flagler Street, Suite 200, Miami, Florida 33144 and Diego A. Cassino, 8360 West Flagler Street, Suite 200, Miami, Florida 33144.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Bogy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Italian Design Automotive Group, LLC, d/b/a FIAT of North Miami as a dealership for the sale of FIAT passenger cars manufactured by Chrysler (line-make FIAT) at 13110 Biscayne Boulevard, North Miami (Miami-Dade County), Florida 33181, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Italian Design Automotive Group, LLC, d/b/a FIAT of North Miami are dealer operator(s): Fernando Arellano Geddes, 8360 West Flagler Street, Suite 200, Miami, Florida 33144; principal investor(s): Hugo Enrique Belcastro, 8360 West Flagler Street, Suite 200, Miami, Florida 33144 and Diego A. Sanchez Navarro, 8360 West Flagler Street, Suite 200, Miami, Florida 33144 and Diego A. Cassino, 8360 West Flagler Street, Suite 200, Miami, Florida 33144.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Bogy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Qlink, L.P., intends to allow the establishment of Jude A. Mitchell, d/b/a Jude's Cycle Service as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue

Motorcycle Manufacturing Co., Ltd. (line-make JIAJ) at 3038 North John Young Parkway, Unit 2, Orlando (Orange County), Florida 32804, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Jude A. Mitchell, d/b/a Jude's Cycle Service are dealer operator(s): Jude Mitchell, 3038 North John Young Parkway, Unit 2, Orlando, Florida 32804; principal investor(s): Jude Mitchell, 3038 North John Young Parkway, Unit 2, Orlando, Florida 32804.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Qlink, L.P., intends to allow the establishment of Jude A. Mitchell, d/b/a Jude's Cycle Service as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co., Ltd. (line-make QING) at 3038 North John Young Parkway, Unit 2, Orlando (Orange County), Florida 32804, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Jude A. Mitchell, d/b/a Jude's Cycle Service are dealer operator(s): Jude Mitchell, 3038 North John Young Parkway, Unit 2, Orlando, Florida 32804; principal investor(s): Jude Mitchell, 3038 North John Young Parkway, Unit 2, Orlando, Florida 32804.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Qlink, L.P., intends to allow the establishment of Jude A. Mitchell, d/b/a Jude's Cycle Service as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (line-make ZHQM) at 3038 North John Young Parkway, Unit 2, Orlando (Orange County), Florida 32804, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Jude A. Mitchell, d/b/a Jude's Cycle Service are dealer operator(s): Jude Mitchell, 3038 North John Young Parkway, Unit 2, Orlando, Florida 32804; principal investor(s): Jude Mitchell, 3038 North John Young Parkway, Unit 2, Orlando, Florida 32804.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Kendall Lakes Automotive, LLC, as a dealership for the sale and service of Chrysler passenger cars and light trucks manufactured by Chrysler (line-make CHRY) at 13355 Southwest 137th Avenue, Miami (Miami-Dade County), Florida 33186, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Kendall Lakes Automotive, LLC, are dealer operator(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301; principal investor(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Tiffany Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Kendall Lakes Automotive, LLC, as a dealership for the sale and service of Dodge passenger cars and light trucks manufactured by Chrysler (line-make DODG) at 13355 Southwest 137th Avenue, Miami (Miami-Dade County), Florida 33186, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Kendall Lakes Automotive, LLC, are dealer operator(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301; principal investor(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Tiffany Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Kendall Lakes Automotive, LLC, as a dealership for the sale and service of Jeep passenger cars and

light trucks manufactured by Chrysler (line-make JEEP) at 13355 Southwest 137th Avenue, Miami (Miami-Dade County), Florida 33186, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Kendall Lakes Automotive, LLC, are dealer operator(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301; principal investor(s): Faisal Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Ali Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301 and Tiffany Ahmed, 610 Lido Drive, Fort Lauderdale, Florida 33301.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, intends to allow the establishment of Miami Lakes CJ, LLC, as a dealership for the sale and service of Dodge passenger cars and light trucks manufactured by Chrysler (line-make DODG) at 16600 Northwest 57th Avenue, Miami Lakes (Miami-Dade County), Florida 33014, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Miami Lakes CJ, LLC, are dealer operator(s): Ali Ahmed, 610 Lido Drive, Fort. Lauderdale, Florida 33301; principal investor(s): Ali Ahmed, 610 Lido Drive, Fort. Lauderdale, Florida 33301 and Tiffany Ahmed, 610 Lido Drive, Fort. Lauderdale, Florida 33301.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Qlink, L.P., intends to allow the establishment of New Wave Cycles, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co. Ltd. (line-make JIAJ) at 9149 Eden Avenue, Hudson (Pasco County), Florida 34667, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of New Wave Cycles, Inc., are dealer operator(s): Gary McCarthy, 9149 Eden Avenue, Hudson, Florida 34667; principal investor(s): Gary McCarthy, 9149 Eden Avenue, Hudson, Florida 34667.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Qlink, L.P., intends to allow the establishment of New Wave Cycles, Inc., as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (line-make QING) at 9149 Eden Avenue, Hudson (Pasco County), Florida 34667, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of New Wave Cycles, Inc., are dealer operator(s): Gary McCarthy, 9149 Eden Avenue, Hudson, Florida 34667; principal investor(s): Gary McCarthy, 9149 Eden Avenue, Hudson, Florida 34667.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Qlink, L.P., intends to allow the establishment of New Wave Cycles, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (line-make ZHQM) at 9149 Eden Avenue, Hudson (Pasco County), Florida 34667, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of New Wave Cycles, Inc., are dealer operator(s): Gary McCarthy, 9149 Eden Avenue, Hudson, Florida 34667; principal investor(s): Gary McCarthy, 9149 Eden Avenue, Hudson, Florida 34667.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zero Motorcycles, Inc., intends to allow the establishment of Varsity Cycle, Inc., d/b/a Vespa Ft. Lauderdale as a dealership for the sale of motorcycles manufactured by Zero Motorcycles, Inc. (ZERO line-make) at 2601 North Federal Highway, Fort Lauderdale (Broward County), Florida 33306, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Varsity Cycle, Inc., d/b/a Vespa Ft. Lauderdale are dealer operator(s): Anthony Cappadona, 2749 Southeast 11th Street, Pompano Beach, Florida 33062; principal investor(s): Anthony Cappadona, 2749 Southeast 11th Street, Pompano Beach, Florida 33062.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Lloyd, Zero Motorcycles, Inc., 170 Technology Circle, Scotts Valley, California 95066.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zero Motorcycles, Inc., intends to allow the establishment of Varsity Cycle, Inc., d/b/a Vespa Miami as a dealership for the sale of motorcycles manufactured by Zero Motorcycles, Inc. (ZERO line-make) at 1700 Alton Road, Miami Beach (Miami-Dade County), Florida 33139, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Varsity Cycle, Inc., d/b/a Vespa Miami are dealer operator(s): Anthony Cappadona, 2749 Southeast 11th Street, Pompano Beach, Florida 33062; principal investor(s): Anthony Cappadona, 2749 Southeast 11th Street, Pompano Beach, Florida 33062.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Lloyd, Zero Motorcycles, Inc., 170 Technology Circle, Scotts Valley, California 95066.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Zero Motorcycles, Inc., intends to allow the establishment of Varsity Cycle Inc., d/b/a Vespa Palm Beach as a dealership for the sale of motorcycles manufactured by Zero Motorcycles, Inc. (ZERO line-make) at 524 A Northlake Boulevard, Lake Park (Palm Beach County), Florida 33408, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Varsity Cycle, Inc., d/b/a Vespa Palm Beach are dealer operator(s): Anthony Cappadona, 2749 Southeast 11th Street, Pompano Beach, Florida 33062; principal investor(s): Anthony Cappadona, 2749 Southeast 11th Street, Pompano Beach, Florida 33062.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Lloyd, Zero Motorcycles, Inc., 170 Technology Circle, Scotts Valley, California 95066.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Qlink, L.P., intends to allow the establishment of Worldwide Scooters, Inc., d/b/a Gekgo Worldwide as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co. Ltd. (line-make JIAJ) at 180 Race Track Road Building J E 20-21, Oldsmar (Pinellas County), Florida 34677, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Worldwide Scooters, Inc., d/b/a Gekgo Worldwide are dealer operator(s): Peter Spoto, 180 Race Track Road Building J E 20-21, Oldsmar, Florida 34677; principal investor(s): Peter Spoto, 180 Race Track Road Building J E 20-21, Oldsmar, Florida 34677.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Qlink, L.P., intends to allow the establishment of Worldwide Scooters, Inc., d/b/a Gekgo Worldwide as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (line-make QING) at 180 Race Track Road, Building J E 20-21, Oldsmar (Pinellas County), Florida 34677, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Worldwide Scooters, Inc., d/b/a Gekgo Worldwide are dealer operator(s): Peter Spoto, 180 Race Track Road, Building J E 20-21, Oldsmar, Florida 34677; principal investor(s): Peter Spoto, 180 Race Track Road, Building J E 20-21, Oldsmar, Florida 34677.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Qlink, L.P., intends to allow the establishment of Worldwide Scooters, Inc., d/b/a Gekgo Worldwide as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (line-make ZHQM) at 180 Race Track Road Building J E 20-21, Oldsmar (Pinellas County), Florida 34677, on or after December 23, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Worldwide Scooters, Inc., d/b/a Gekgo Worldwide are dealer operator(s): Peter Spoto, 180 Race Track Road Building J E 20-21, Oldsmar, Florida 34677; principal investor(s): Peter Spoto, 180 Race Track Road Building J E 20-21, Oldsmar, Florida 34677.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE PROPOSED

MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of intent to modify the Conditions of Certification (COCs) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 et seq., Florida Statutes (F.S.), for the Cape Canaveral Energy Center (CCEC) owned and operated by Florida Power & Light (FPL), Power Plant Siting Application No. PA08-53, OGC Case No. 11-1398. Pursuant to Section 403.516(1)(c), F.S., the Department proposes to modify the COCs for CCEC as requested by the Florida Fish and Wildlife Conservation Commission (FWC) relative to the biological monitoring requirements for manatees and protection zones. A copy of the proposed modification may be obtained by contacting: Department of Environmental Protection, Siting Coordination Office, 3900 Commonwealth Boulevard, MS #48, Tallahassee, FL 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida, 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
CITY OF EDGEWATER, FLORIDA

The Department of Environmental Protection has determined that City of Edgewater's proposed replacement of equipment and process modifications at the wastewater treatment plant will not have a significant adverse affect on the environment. The total construction cost is estimated at \$4,435,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. Public comment must be received at the address below within 30 days of this notice.

A full copy of the Notice can be obtained by writing to: Pankaj Shah, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8358.

NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
CITY OF PARKER, FLORIDA

The Department of Environmental Protection has determined that the City of Parker's proposed project for the rehabilitation of the existing sections of the City's wastewater transmission mains, manholes and pump stations will not have a significant adverse affect on the environment. The total project cost is estimated at \$356,905. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: David P. O'Brien, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8367.

NOTICE OF INTENT TO ISSUE PROPOSED
MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of intent to modify the Conditions of Certification (COCs) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 et seq., Florida Statutes (F.S.), for the Riviera Beach Energy Center (RBEC) owned and operated by Florida Power & Light (FPL), Power Plant Siting Application No. PA09-54, OGC Case No. 11-1566. Pursuant to Section 403.516(1)(c), F.S., the Department proposes to modify the COCs for RBEC as requested by the Florida Fish and Wildlife Conservation Commission (FWC) relative to the biological monitoring

requirements for manatees. A copy of the proposed modification may be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 3900 Commonwealth Boulevard, MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

The Department of Environmental Protection gives notice of its intent to grant a variance (No. 0296970-002-BV) from the provisions of paragraph 62-4.244(5)(c), F.A.C., to allow the turbidity mixing zone to exceed 150 meters; and from sub-paragraph 62-4.242(2)(a)2.b., F.A.C., to establish a maximum allowable turbidity level above background for work within 2,000 meters of the St. Lucie Inlet Preserve State Park, Aquatic Preserve, Outstanding Florida Waters (OFW). The variance is for the Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, FL 33477, to conduct maintenance dredging of the Crossroads Channel located at the intersection of the Intracoastal Waterway (ICWW) and Okeechobee Waterway (OWW) in St. Lucie Inlet; to remove material from the M-5 Dredged Materials Management Area (DMMA); and to use the beach compatible material from both sources to nourish 3.5 miles of shoreline along the St. Lucie Inlet Preserve State Park and the Hobe Sound National Wildlife Refuge. (FDEP File No. 0296970-002-BV) The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Office of Beaches and Coastal

Systems, 4708 Capital Circle N.W., Tallahassee, Florida 32303, Telephone: (850)488-7708, website: www.dep.state.fl.us/beaches/permitting/permits.htm.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the: Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the F.S., is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an Administrative Hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the: Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and paragraph 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.S. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with: The Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department

Office of Intergovernmental Programs

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On November 10, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Donald B. Bletz, M.D., License #ME 67306. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 7, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Cesar Augusto DeLeon, M.D., License #ME 86283. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 10, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Richard W. Hays, M.D., License #ME 43956. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 9, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Gary Lee Barnhart, Jr., License #LPN 5194467. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 10, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Doris M. Clark, L.P.N., License #PN 516211. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 7, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dara E. Croft, C.N.A., License #CNA 145931. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious

danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 10, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Rebekah L. Galloway, R.N., License #RN 9177690. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 7, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Luke Hanson, R.N., License #RN 9273602. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 9, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jody Potter Henderson, L.P.N., License # LPN 1064431. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 8, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Tony Michael Holmes, R.N., License #RN 2847732. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 7, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Charity Ann Price, C.N.A., License #CNA 48018. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 7, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Tiffany Richardson, C.N.A., License #CNA 188644. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 8, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Tracy J. Sweat, C.N.A., License #CNA 190843. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 10, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Nichole Y. Syphers, C.N.A., License #CNA 243383. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 10, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jacqueline Nicole Grimes, R.P.T., License #RPT 6380. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

**RULES FILED BETWEEN November 7, 2011
and November 10, 2011**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

9B-56.002	11/9/11	11/29/11	37/32	
9B-56.003	11/9/11	11/29/11	37/32	
9B-70.001	11/9/11	11/29/11	37/32	

DEPARTMENT OF TRANSPORTATION

14-10.047	11/10/11	11/30/11	37/32	
14-10.049	11/10/11	11/30/11	37/32	
14-10.050	11/10/11	11/30/11	37/32	
14-10.051	11/10/11	11/30/11	37/32	
14-15.0081	11/10/11	11/30/11	37/39	

DEPARTMENT OF CORRECTIONS

33-602.203	11/8/11	11/28/11	37/39	
------------	---------	----------	-------	--

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

40E-1.5095	11/10/11	12/1/11	37/36	
40E-1.603	11/10/11	12/1/11	37/36	
40E-1.615	11/10/11	12/1/11	37/36	
40E-4.011	11/10/11	12/1/11	37/36	
40E-4.021	11/10/11	12/1/11	37/36	
40E-4.041	11/10/11	12/1/11	37/36	
40E-4.0415	11/10/11	12/1/11	37/36	
40E-4.042	11/10/11	12/1/11	37/36	
40E-4.051	11/10/11	12/1/11	37/36	
40E-4.101	11/10/11	12/1/11	37/36	
40E-4.201	11/10/11	12/1/11	37/36	
40E-4.301	11/10/11	12/1/11	37/36	
40E-4.302	11/10/11	12/1/11	37/36	
40E-4.303	11/10/11	12/1/11	37/36	
40E-4.305	11/10/11	12/1/11	37/36	
40E-4.321	11/10/11	12/1/11	37/36	
40E-4.331	11/10/11	12/1/11	37/36	
40E-4.361	11/10/11	12/1/11	37/36	
40E-4.381	11/10/11	12/1/11	37/36	
40E-40.010	11/10/11	12/1/11	37/36	
40E-40.011	11/10/11	12/1/11	37/36	
40E-40.031	11/10/11	12/1/11	37/36	
40E-40.041	11/10/11	12/1/11	37/36	
40E-40.051	11/10/11	12/1/11	37/36	
40E-40.141	11/10/11	12/1/11	37/36	
40E-40.302	11/10/11	12/1/11	37/36	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
40E-40.321	11/10/11	12/1/11	37/36	
40E-40.331	11/10/11	12/1/11	37/36	
40E-40.341	11/10/11	12/1/11	37/36	
40E-40.381	11/10/11	12/1/11	37/36	
40E-40.391	11/10/11	12/1/11	37/36	
40E-41.121	11/10/11	12/1/11	37/36	
40E-41.243	11/10/11	12/1/11	37/36	
40E-41.260	11/10/11	12/1/11	37/36	
40E-41.263	11/10/11	12/1/11	37/36	
40E-41.265	11/10/11	12/1/11	37/36	
40E-41.363	11/10/11	12/1/11	37/36	
40E-400.211	11/10/11	12/1/11	37/36	
40E-400.417	11/10/11	12/1/11	37/36	
40E-400.443	11/10/11	12/1/11	37/36	
40E-400.447	11/10/11	12/1/11	37/36	
40E-400.470	11/10/11	12/1/11	37/36	
40E-400.475	11/10/11	12/1/11	37/36	
40E-400.487	11/10/11	12/1/11	37/36	
40E-400.500	11/10/11	12/1/11	37/36	

DEPARTMENT OF ELDER AFFAIRS
Administration of Federal Aging Programs

58A-1.002	11/9/11	11/29/11	37/32	
58A-1.003	11/9/11	11/29/11	37/32	
58A-1.004	11/9/11	11/29/11	37/32	
58A-1.005	11/9/11	11/29/11	37/32	
58A-1.0051	11/9/11	11/29/11	37/32	
58A-1.006	11/9/11	11/29/11	37/32	
58A-6.004	11/9/11	11/29/11	37/32	
58A-6.0051	11/9/11	11/29/11	37/32	
58A-6.014	11/9/11	11/29/11	37/32	

Community Care for the Elderly

58C-1.003	11/9/11	11/29/11	37/32	
58C-1.005	11/9/11	11/29/11	37/32	

Administration of the Alzheimer's Disease Initiati

58D-1.001	11/9/11	11/29/11	37/32	
-----------	---------	----------	-------	--

Home Care for the Elderly

58H-1.001	11/9/11	11/29/11	37/32	
58H-1.004	11/9/11	11/29/11	37/32	

Statewide Public Guardianship Office

58M-2.005	11/9/11	11/29/11	37/32	
-----------	---------	----------	-------	--

Training Requiring Provider and Curriculum Approvals

58T-1.201	11/9/11	11/29/11	37/32	
-----------	---------	----------	-------	--

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF MANAGEMENT SERVICES

Agency for Workforce Innovation

60BB-3.013	11/7/11	11/27/11	37/26	37/38
60BB-3.015	11/7/11	11/27/11	37/26	37/38
60BB-3.0254	11/7/11	11/27/11	37/26	37/38
60BB-3.0262	11/7/11	11/27/11	37/26	37/38
60BB-3.0263	11/7/11	11/27/11	37/26	37/38
60BB-3.029	11/7/11	11/27/11	37/40	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

61G15-20.007	11/7/11	11/27/11	36/37	37/39
--------------	---------	----------	-------	-------

LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO (CHAPTER 2010-279, LAWS OF FLORIDA)

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

5F-11.002	7/7/11	*****	37/14	
-----------	--------	-------	-------	--

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	10/24/11	*****	37/24	37/36
-----------	----------	-------	-------	-------