

Specific Authority 20.316, 985.64405, 985.601(7)404(8), 984.04(3), FS. Law Implemented 984.04(3), 985.601(7)-(8)404(8) FS. History–New_____.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE CHAPTER NO.: RULE CHAPTER TITLE:

64E-15 Mobile Home, Recreational Vehicle and Lodging Parks and Recreational Camps

NOTICE OF CORRECTION

The Florida Department of Health provides this correction to a Notice of Proposed Rulemaking, published in the 3/2/2007 issue of the Florida Administrative Weekly, Vol. 33, No. 9; relating to Chapter 64E-15, F.A.C., Mobile Home, Recreational Vehicle and Lodging Parks and Recreational Camps. The previously published Notice of Proposed Rulemaking inadvertently stated the Notice of Proposed Rule Development was published on 2/7/2007. The correct date the Notice of Proposed Rule Development was published was 2/2/2007.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-4.209 Income

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule published in Vol. 33, No. 1, January 5, 2007, issue of the Florida Administrative Weekly in accordance with subparagraph 120.54(3)(d)1., F.S. The specific changes were made in response to the comments received from the Joint Administrative Procedures Committee. Specific changes in rule text are as follows:

65A-4.209 Income.

(1) No change.

(2) To be financially eligible for temporary cash assistance (TCA), the total average gross monthly income, less any applicable disregards, of the standard filing unit cannot exceed the applicable payment standard for the assistance group. These standards and disregards are found in Section 414.095(10) and (11), F.S. Monthly net income is calculated based on average gross monthly family income, earned and unearned, less any applicable disregards in accordance with Section 414.095(12)(a), F.S. The monthly amount of the TCA payment is determined by subtracting the monthly net income from the applicable payment standard.

(a) The earned monthly income of the child who is a family member age 19 or younger and is full-time high school student in a secondary school or the equivalent level of vocational or technical training is disregarded in the budget. The income of a child who is a family member age 19 or

younger and is a full-time student also does not count toward the payment standard or toward calculation of eligibility against the consolidated need standard. Student refers to a minor child whose needs are included in the benefit as minor child not as a parent or relative. Definition of secondary school is found in Section 1003.413(1), F.S. Definition of full-time attendance is found in paragraph 65A-4.207(1)(b), F.A.C.

(b) through (c) No change.

(d) Infrequent ~~and~~ or irregular unearned income which does not exceed \$60 per calendar quarter is excluded, such as gifts for Christmas, birthdays, or graduation.

Specific Authority 414.45 FS. Law Implemented: 414.095 FS.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on March 1, 2007, the Florida Public Service Commission, received a petition for a waiver from Rule 25-12.045, F.A.C., Inactive Gas Service Lines, from the Florida Natural Gas Association in Docket No. 070135-GU.

The rule provides that the following actions shall be taken for inactive gas service lines that have been used, but have become inactive without reuse:

- (a) If there is no prospect for reuse, the service line shall be retired and physically abandoned within three months;
- (b) After a service line has been inactive for a period of two years, if there is a prospect for reuse of the line, one of the following actions shall be taken within six months:
 1. Disconnect the service line from all sources of gas and abandon or remove;
 2. A valve on the service line shall be locked in the closed position and the service line plugged to prevent the flow of gas; or
 3. Remove the meter and plug the end of the service line to prevent the flow of gas;
- (c) After five years of inactivity, service lines shall be retired and physically abandoned within six months.

Subsections (2) and (3) of Rule 25-12.045, F.A.C., provide, respectively, details on the procedures for physical abandonment of a service line and the records of service lines stubs that must be maintained and readily available to personnel assigned to pipeline locating activities. Comments on the petition should be filed with the Florida Public Service Commission, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Florida Public Service Commission, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at <http://www.psc.state.fl.us/>. For additional information, please contact Keino Young, Office of the General Counsel, at the above address or telephone (850)413-6226.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on March 5, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a Variance on Rule 61C-5.001, F.A.C., Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts, from ASME A17.1, 2005 Edition, Section 2.19.3, requiring rope grippers from Aaron Smelser of KONE on behalf of Wyndham Westshore Hotel in Tampa (License Numbers 34618, 34619, 34620, 34621, and 34622).

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 Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 5, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition on Rule 61C-5.001, F.A.C., Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts, for a variance from A17.1, Rules 102.2(d) and 2.8.2.4 prohibiting introducing water into the elevator shaft from Steve Irwin of St. Joseph’s Baptist Hospital, Tampa, FL.

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 Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 5, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition on Rule 61C-5.001, F.A.C., Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts, for an Emergency Variance from ASME A17.1, 2004 Edition, Section 3.4.2, from Tiff Maraist of ThyssenKrupp Elevator on behalf of County Road Holdings, LLC for 105 North County Rd., Palm Beach.

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 Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 6, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition on Rule 61C-5.001, F.A.C., Elevators, Dumbwaiters, Escalators, Moving Walks, Manlifts, Inclined and Vertical Wheelchair Lifts and Inclined Stairway Chairlifts, for an Emergency Variance for ASME A17.1-2004 Chapter 2.27.3.3 from Tim Newton of Schindler Elevator Corporation. Specifically, the Petitioner requested to not have the key switches enclosed behind a locked door.

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 Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on March 7, 2007, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Rule 61C-5.006, F.A.C., Elevator Fees;

Construction and Alteration Permits; Annual Certificates of Operation; Delinquency Fee; Temporary Operation Permits Certificate Replacement, an Emergency Variance from ASME A17.1 2005 Edition, Rules 2.26.1.4.4, 2.27.3.1.6(h), 2.27.3.2.5(05a) and 2.27.3.3.1(04) requiring a transfer switch in the machine room rendered inactive by the top-of-car inspection switch, a continuous audible signal when on Phase I, the recall level to remain at the designated level when the car is recalled from the alternate level and a door open and close button be provided on the same panel. The request was submitted by Fidel Mendiguren of Ace Elevator Company on behalf of Florida Ridge Condominiums, Bldgs. 3, 6 and 10.

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 Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

NOTICE IS HEREBY GIVEN that on February 5, 2007, the Department of Environmental Protection, received a petition for RedoxTech LLC seeking a variance from the prohibition from a zone of discharge under subsection 62-522.300(3), F.A.C., for the use of Anaerobic Biochem Plus to clean up sites that are contaminated with chlorinated ethenes, chlorinated alkanes, and possibly chlorinated phenols, pesticides, biphenyls, and other related compounds. The petition has been assigned OGC File No. 07-0202.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Program, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8654. Written comments must be received by Cathy McCarty at the above address no later than 14 days from the date of publication of this notice.

NOTICE IS HEREBY GIVEN that on February 9, 2007, the Department of Environmental Protection has issued an order. The order is for the RemeTech LLC variance petition (OGC File No. 06-2006), received on September 12, 2006. The petition requested a variance from the zone of discharge prohibition for discharges through wells under Rule 62-522.300(3), F.A.C., for the use of Sodium Permanganate HP (high purity) to clean up sites contaminated with organic compounds. Specifically, the variance requested a zone of discharge for antimony, arsenic, chromium, mercury,

beryllium, cadmium, lead, thallium, selenium, and vanadium within a 50-foot radius from the point of discharge for a duration of 365 days. Notice of receipt of this petition was published in the F.A.W., on October 20, 2006. No public comment was received. The final order granted a variance from the zone of discharge prohibition because the petitioner demonstrated a substantial hardship, and that the purposes of the underlying statutes would be met with the conditions imposed by the Department. The conditions require that the use of the product must be through a Department-approved remedial action plan or other Department-enforceable document, and that such approval shall not be solely by a delegated program; that the discharge must be through a Class V, Group 4 underground injection control well which meets all applicable requirements of Chapter 62-528, F.A.C.; that the extent of the zone of discharge for antimony, arsenic, chromium, mercury, beryllium, cadmium, lead, thallium, selenium, and vanadium shall be a 50-foot radius from the point of injection and the duration of the zone of discharge shall be one year; that the injection of the product shall be at such a rate and volume that no undesirable migration occurs of the product, its by-products, or the contaminants already present in the aquifers; that the Department-approved remedial action plan shall address appropriate ground water monitoring requirements associated with the use of the remediation product based on site-specific hydrogeology and conditions; and that the Sodium Permanganate HP should be of equal or greater quality as presented in the specifications of the petition. A copy of the Order may be obtained by contacting: Cathy McCarty, Department of Environmental Protection, Underground Injection Control Program, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8654.

NOTICE IS HEREBY GIVEN that on March 9, 2007, the Florida Department of Environmental Protection has issued an order.

The order closes the Department's file on the petition for variance under Section 120.542, F.S., received from Valero LP, on August 8, 2006. The Department sent the Petitioner a Request for Additional Information on August 23, 2006. Notice of receipt of this petition was published in the F.A.W. on September 8, 2006. The petition requested a variance from impervious dike field requirements under subparagraph 62-762.501(2)(c)1., Performance Standards for Category-C Storage Tank Systems, F.A.C., for new aboveground storage tanks to be installed at their Jacksonville terminal. On March 2, 2007, Petitioner withdrew its petition for variance.

A copy of the Order may be obtained by contacting: John P. Svec, Department of Environmental Protection, MS 4525, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8845.

NOTICE IS HEREBY GIVEN that on February 19, 2007, the Florida Department of Environmental Protection, received a petition for an extension of a variance under Section 120.542 of the Florida Statutes from the requirement under paragraph 62C-36.008(1)(d), Reclamation Standards, F.A.C., that all mandatory reclamation activities through revegetation at the state-owned Columbia City Mine be completed within three years of the cessation of mining. The petition has been assigned OGC Number 07-0435.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Alan Whitehouse, Department of Environmental Protection, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310. Comments must be received by the Department no later than 14 days from the date of publication of this notice.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on March 8, 2007, the Florida Housing Finance Corporation, received a petition for Variance of subsection 67-48.002(83), Definitions and Rule 67-48.025, Qualified Allocation Plan, F.A.C., and a variance of Paragraph 11 of the 2005 Qualified Allocation Plan from Pebble Hill Estates Limited Partnership, (“Petition”). The Petition is seeking a variance of the Petitioner’s Qualified Allocation Plan’s prohibition from requesting an extension of the placed in service date for the Development.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Department of State, Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 4, 2007, 1:30 p.m.

PLACE: Education Building, Mission San Luis, 2021 West Mission Road, Tallahassee, FL 32304, (850)487-1791

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting for the project’s Art Selection Committee to discuss project parameters and collaborate with the selected

artist on possible artwork solutions for Art in State Buildings Project No. DOS 9929/5000, Mission San Luis Visitor Center, Tallahassee, Leon County.

A copy of the agenda may be obtained by contacting: Lee Modica, Arts Administrator, Art in State Buildings Program, Division of Cultural Affairs, 500 South Bronough St., Rm. 310-A, Tallahassee, FL 32399-0250, (850)245-6476.

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.

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 Morgan Barr at (850)245-6356. 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 Lee Modica at (850)245-6476.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Department of Agriculture**, Florida Agricultural Center and Horse Park Authority announces a public meeting to which all persons are invited.

Meeting Group: Florida Agricultural Center and Horse Park Authority Executive Committee

DATE AND TIME: April 5, 2007, 4:00 p.m.

PLACE: Horse Park, 11008 South Highway 475, Ocala, Florida 34476

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general information concerning the planning, development, construction and operation of the Florida Horse Park.

For a copy of the Agenda or to notify that you are a person desiring to attend with a disability that requires certain accommodations, please contact: Richard Gunnels, Florida Department of Agriculture and Consumer Services, Plaza Level 10, The Capitol, Tallahassee, Florida 32399-0800, gunnelr@doacs.state.fl.us.

The Florida **Citrus Production Research Advisory Council**, announces a general meeting to which all interested persons are invited.

DATE AND TIME: Wednesday April 18, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Sebring Agri-Civic Center, 4509 George Blvd., Sebring, FL 33875