

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 702 are as follows:

<u>GAME PLAY</u>	<u>WIN</u>	<u>ODDS OF</u>	<u>NUMBER OF WINNERS IN 42 POOLS OF</u>
<u>TICKET</u>	<u>\$2 TICKET</u>	<u>1 IN</u>	<u>180,000</u>
<u>\$2</u>	<u>\$2</u>	<u>8.33</u>	<u>TICKETS PER POOL</u>
<u>\$4</u>	<u>\$4</u>	<u>50.00</u>	<u>907,200</u>
<u>\$1 + (\$2 x 2)</u>	<u>\$5</u>	<u>30.00</u>	<u>151,200</u>
<u>\$5</u>	<u>\$5</u>	<u>37.50</u>	<u>252,000</u>
<u>(\$1 x 2) + (\$2 x 2)</u>	<u>\$5</u>	<u>37.50</u>	<u>201,600</u>
<u>\$5 x 2</u>	<u>\$10</u>	<u>150.00</u>	<u>201,600</u>
<u>\$10</u>	<u>\$10</u>	<u>150.00</u>	<u>50,400</u>
<u>\$5 x 5</u>	<u>\$10</u>	<u>75.00</u>	<u>100,800</u>
<u>\$25</u>	<u>\$10</u>	<u>150.00</u>	<u>50,400</u>
<u>\$5 x 10</u>	<u>\$25</u>	<u>300.00</u>	<u>25,200</u>
<u>\$10 x 5</u>	<u>\$25</u>	<u>300.00</u>	<u>25,200</u>
<u>\$50 (\$\$)</u>	<u>\$50</u>	<u>1,800.00</u>	<u>4,200</u>
<u>\$10 x 10</u>	<u>\$50</u>	<u>1,800.00</u>	<u>4,200</u>
<u>(\$25 x 2) + \$50 (\$\$)</u>	<u>\$100</u>	<u>414.75</u>	<u>18,228</u>
<u>\$100</u>	<u>\$100</u>	<u>9,000.00</u>	<u>840</u>
<u>(\$25 x 6) + \$50 (\$\$)</u>	<u>\$100</u>	<u>1,285.71</u>	<u>5,880</u>
<u>\$100 x 10</u>	<u>\$1,000</u>	<u>9,000.00</u>	<u>840</u>
<u>\$1,000</u>	<u>\$1,000</u>	<u>756,000.00</u>	<u>10</u>
<u>\$1,000 x 10</u>	<u>\$10,000</u>	<u>756,000.00</u>	<u>10</u>
<u>\$10,000</u>	<u>\$10,000</u>	<u>3,780,000.00</u>	<u>2</u>
		<u>3,780,000.00</u>	<u>2</u>

(10) The estimated overall odds of winning some prize in Instant Game Number 702 are 1 in 3.78. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 702, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a LUCKY BUCKS lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for LUCKY BUCKS lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-8-07.

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: June 8, 2007

**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**

**DEPARTMENT OF LEGAL AFFAIRS**

AMENDED – The Department of Legal Affairs, Division of Victim Services and Criminal Justice Programs, hereby gives notice that it has received a petition filed on behalf of Circle K Stores, Inc., on May 7, 2007, seeking a waiver or variance from Rule 2A-5.005, F.A.C., with regard to the requirement regarding test photos and remote triggering devices. Comments on this petition should be filed with Division of Victim Services and Criminal Justice Programs, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050, within 14 days of publication of this notice. The original Notice of Petition for Waiver or Variance which published in Vol. 33, No. 21, of the May 25, 2007, issue of the F.A.W., inadvertently omitted the name of the entity filing the Petition. For a copy of the petition contact: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3351.

**DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on May 24, 2007, the Criminal Justice Standards and Training Commission, received a petition for waiver of paragraphs 11B-27.00213(4)(a), (b), F.A.C., from Armondo Bilancione. The Petitioner wishes to waive the provision of rule that requires a criminal justice officer on a Temporary Employment Authorization (TEA) to wait four years before beginning another TEA if he or she leaves employment or breaks training before finishing the first TEA.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Assistant General Counsel, Grace A. Jaye, Office of the General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489, or

by telephoning (850)410-7676. Comments on the petition should be filed with the agency by sending the comments to Assistant General Counsel, Grace A. Jaye at the above address.

NOTICE IS HEREBY GIVEN THAT on May 11, 2007, the Criminal Justice Standards and Training Commission, received a petition for waiver of Rule 11B-30.006, F.A.C., by Christopher Sloan. The Petition was originally reviewed and returned to the Petitioner on April 18, 2007, as insufficient. The Petitioner refiled his request with appropriate supporting materials on May 11, 2007. Petitioner seeks to waive that provision of the rule that requires a candidate to complete basic recruit training, pass the State Officer Certification Examination, and gain employment within four years of starting basic recruit training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Assistant General Counsel, Grace A. Jaye, Office of the General Counsel, Florida Department of Law Enforcement, P. O. Box 1489 Tallahassee, FL 32302-1489, or telephoning (850)410-7676. Comments on the petition should be addressed to Assistant General Counsel, Grace A. Jaye at the above address.

#### **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."

#### **WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN THAT on June 5, 2007, the Suwannee River Water Management District, received a petition for Mr. Lawrence Diaz, 2239 S. W. 77th Ave., Bell, FL 32619, for demonstration of hardship for ERP07-0204, Lawrence Diaz Work of the District Residence with regard to subsection 40B-4.3030(9) and paragraph (11)(b), F.A.C. Property is located in Township 9 South, Range 14 East, Section 17, Gilchrist County.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Administrative Assistant, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or (800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on May 9, 2007, the St. Johns River Water Management District's Governing Board has issued an order.

Granting Variance under Section 120.542, F.S. (SJRWMD FOR # 2007-20), to Hammock Landing/West Melbourne, LLC (Petitioner). The Petition for Variance was received by SJRWMD on February 20, 2007. Notice of receipt of the

petition requesting the variance was published in the F.A.W., Vol. 33, No. 13 on March 30, 2007. No public comment was received. This order provides a temporary variance from subparagraph 40C-41.063(1)(c)1. of the Florida Administrative Code and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005). These rules provide in pertinent part that a surface water management system may not result in an increase in the amount of water being diverted from the Upper St. Johns River Hydrologic Basin to intercoastal receiving waters. Generally, the Order sets forth the basis of the Governing Board's decision to grant the variance as follows: 1) requiring Petitioner to comply with these rules onsite would create a technological hardship, and 2) Petitioner's financial contribution to the C-1 Rediversion Project or an Alternative Rediversion Project will accomplish the purpose of Chapter 373 of the Florida Statutes to prevent harm to the water resources, by facilitating the project's implementation. The C-1 Rediversion Project is a restoration project designed to allow water that would be diverted from the St. Johns River to coastal receiving waters by the Melbourne-Tillman Water Control District canal system to drain once again to the St. Johns River. A copy of the Order may be obtained by contacting: Timothy A. Smith, Senior Assistant General Counsel, at the Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, or by telephone (386)312-2347.

NOTICE IS HEREBY GIVEN THAT on May 10, 2007, the St. Johns River Water Management District, received a petition for variance from Brevard County, pursuant to Section 120.542, Florida Statutes. Petitioner is seeking a variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), for Environmental Resource Permit Application 4-009-109446-1. The permit applicant is proposing to construct a surface water management system that will serve a proposed facility known as Rodes Park, comprising a community center, athletic fields, and walking trails on a 136-acre site. The proposed wet detention surface water management system would discharge into the Melbourne-Tillman Water Control District canal system, which in turn discharges to coastal waters. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3, A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the state by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion. Comments on this petition should be filed with Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid

Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2007-46.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Timothy A. Smith, Senior Assistant General Counsel, at the Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, or by telephone (386)312-2347.

NOTICE IS HEREBY GIVEN THAT on June 5, 2007, South Florida Water Management District (District) received a petition for waiver from South Florida Stadium Corporation, Application No. 06-0919-2M, for utilization of Works or Lands of the District known as the C-9 Canal, for the installation of temporary fencing along the top of the canal bank beginning at the Florida Turnpike westerly approximately 5700' to be used in conjunction with intermittent parking for stadium events, Miami-Dade County, Section 34, Township 51 South, Range 41 East. The petition seeks relief from subsections 40E-6.011(4), and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank and generally prohibits parking within Works or Lands of the District. A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this 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: Kathie Ruff, Office of Counsel.

NOTICE OF WITHDRAWAL – NOTICE IS HEREBY GIVEN THAT on June 4, 2007, South Florida Water Management District (District) received request for Withdrawal of Petition for Waiver from South Florida Stadium Corporation, Application No. 06-0919-2M, for utilization of Works or Lands of the District known as the C-9 Canal, Section 34, Township 51S, Range 41E, Miami-Dade County. Notice of receipt of petition requesting waiver was published in the F.A.W., Vol. 32, No. 41, on October 13, 2006. No public comment was received.

A copy of the withdrawal request may be obtained from Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320 or e-mail at kruff@sfwmd.gov.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on May 14, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Canopy Moon Kiosk located in Fernandina Beach. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to not have a bathroom facility in their facility, but use the bathroom facilities located inside of Bright Mornings due to historical significance.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants 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 May 17, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-4.0161(2)(c), Florida Administrative Code (F.A.C.), from Indian Hills Golf Course located in Fort Pierce. The above referenced F.A.C. states mobile food dispensing vehicles (MFDVs) shall operate from an approved commissary that meets all applicable requirements of this rule....The Petitioner is requesting a temporary variance to operate a MFDV (trailer) as a permanent structure until their original building is re-built from hurricane damage.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants 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 May 24, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from That's a Moray located in Apalachicola. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to not have a bathroom facility in their facility, but use the bathroom facilities located inside of the chamber of commerce, Apalachicola River Keeper, or the courthouse due to historical significance.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants 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.

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NOTICE IS HEREBY GIVEN THAT on May 30, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Hurricane Oyster Bar and Grill located in Santa Rosa Beach. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to not have bathroom facilities in their facility, but use centrally located bathroom facilities.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants 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.

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NOTICE IS HEREBY GIVEN THAT on May 31, 2007, the Board of Accountancy, received a petition for Patrick Casey, seeking a waiver or variance from subsection 61H1-33.006(2), Florida Administrative Code, which establishes the requirements to reactivate an inactive or delinquent license. Petitioner is also seeking a waiver or variance from subsection 61H1-31.001(4), F.A.C., which establishes the fee to reactivate a license and provides instruction regarding the submission of the laws and rules examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on May 31, 2007, the Board of Accountancy, received a petition for Gleim Publications, Inc., seeking a variance or waiver of subsection 61H1-33.003(7), F.A.C., which requires that sponsors of formal correspondence or other individual study technical business and accounting and auditing programs must be approved by the National Association of State Board of Accountancy Quality Assurance Service.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida

32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on June 6, 2007, the Board of Accountancy, received a petition for Natalia Esteban, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, which requires that candidates must pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the date that the first test section passed is taken.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on June 8, 2007, the Board of Accountancy, received a petition for Sharon R. Chaney Benafield, seeking a variance or waiver of paragraph 61H1-33.003(1)(b), Florida Administrative Code, which requires that the licensee submit an additional 8 hours of continuing education if they do not timely meet the initial requirements for continuing professional education within their reestablishment period. Petitioner is also seeking a variance or waiver of subsection 61H1-33.003(6), Florida Administrative Code, which requires that licensees who complete the continuing professional education requirements timely but who are found to be deficient after December 31 of their renewal year must correct the error and pay a \$50.00 fine within 60 days.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on June 8, 2007, the Board of Accountancy, received a petition for Christina L. Cammarata, seeking a variance or waiver of subsection 61H1-31.001(10), Florida Administrative Code, and the requirement that a licensee pay a \$50.00 delinquency fee for submitting a CPE reporting form after July 15th of the licensee's reestablishment period. Petitioner is also seeking a variance or waiver of paragraphs 61H1-33.003(1)(a) and (b), F.A.C., and the requirement that a licensee complete at least four hours of Board-approved continuing education credits in ethics and an additional 8 hours of Accounting and Auditing

subjects for not meeting the deadline for obtaining the required continuing education hours by June 30th of the licensee's reestablishment period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN THAT on June 8, 2007, the Board of Accountancy, received a petition for John D. McConnell, seeking a variance from subsection 61H1-33.006(2), Florida Administrative Code, which requires that at least 80% of the necessary continuing professional education hours have been completed in the 24 months immediately proceeding the date of an application for reactivation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, or by telephone (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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#### 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."

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NOTICE IS HEREBY GIVEN THAT on May 30, 2007, the Department of Environmental Protection, Division of Air Resource Management, received a petition for Combs Oil Co., seeking a variance from the provisions of Department of Environmental Protection subparagraph 62-296.418(2)(b)2., Florida Administrative Code, to waive the requirement for installation of a vapor collection and control system on the loading racks at a bulk gasoline plant. The petition has been assigned OGC File No. 07-1046.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Terri Long, Department of Environmental Protection, Air Resource Management, MS 5500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)921-9556. Written comments must be received by Terri Long at the above address no later than 14 days from the date of publication of this notice.

#### DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on June 11, 2007, the Board of Dentistry, received a petition for a waiver or variance of Rule 64B5-2.0146, F.A.C., from Girish Herekar, D.D.S., with respect to the following licensure requirements: (1) that each applicant for a Florida dental license examination successfully completes a 2 year supplemental remediation program from an accredited dental school to the level of a graduating senior and (2) that each applicant for a Florida dental license examination provide to the Board official transcripts and diplomas from the sponsoring institution verifying completion of coursework requirements for the supplemental dental education program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, the Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

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NOTICE IS HEREBY GIVEN THAT on May 3, 2007, the Board of Hearing Aid Specialists has issued an order.

The Board reviewed the Petition of Robert E. Eacret (filed February 23, 2007) at its meeting held on March 30, 2007, in Ft. Lauderdale, Florida. The Board's Order of Intent to Grant Petition for Variance or Waiver, determined that the Petition for Variance or Waiver should be granted on the following grounds:

1. The Petitioner seeks a waiver of subsection 64B6-8.003(8), Florida Administrative Code. Specifically, Petitioner seeks waiver of the rule that states that applicants can only sit for or fail an examination three times.
2. Section 120.542(2), Florida Statutes, provides that a petitioner seeking a variance or waiver from a particular administrative rule must show that he or she has met the purpose of the statute underlying the rule from which waiver is sought by some other means and that the application of the rule in question creates a substantial hardship or violates principles of fairness before the agency can grant such petition.
3. The Petitioner has demonstrated that his father has significant medical problems and passed away through documentation submitted for the Board's review.

A copy of the Order may be obtained by contacting: Sue Foster, Executive Director, The Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3259.

NOTICE IS HEREBY GIVEN THAT on May 23, 2007, the Board of Opticianry has issued an order.

The Board's Order of Intent to Grant Petition for Waiver or Variance determined that the Petition for Variance or Waiver filed by Petitioner William L. Burger should be granted on the following grounds:

1. The Petitioner seeks a waiver of Rule 64B12-9.016, Florida Administrative Code. Specifically, Petitioner seeks waiver of the rule that states that applicants, who practiced out of state, can only apply for examination within two years of ceasing to practice.
2. Section 120.542(2), Florida Statutes, provides that a petitioner seeking a variance or waiver from a particular administrative rule must show that he or she has met the purpose of the statute underlying the rule from which waiver is sought by some other means and that the application of the rule in question creates a substantial hardship or violates principles of fairness before the agency can grant such petition.
3. The Petitioner has demonstrated that he is entitled to sit for the examination due to family illness, which the Board considered an extenuating circumstance.

A copy of the Order may be obtained by contacting: Board of Opticianry, Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on May 23, 2007, the Board of Opticianry has issued an order.

The Board's Order of Intent to Grant Petition for Waiver or Variance, filed in this cause determined that the Petition for Variance or Waiver filed by Petitioner Scott K. Seiler should be granted on the following grounds:

1. The Petitioner seeks a waiver of Rule 64B12-9.016, Florida Administrative Code. Specifically, Petitioner seeks waiver of the rule that states that applicants, who practiced out of state, can only apply for examination within two years of ceasing to practice.
2. Section 120.542(2), Florida Statutes, provides that a petitioner seeking a variance or waiver from a particular administrative rule must show that he or she has met the purpose of the statute underlying the rule from which waiver is sought by some other means and that the application of the rule in question creates a substantial hardship or violates principles of fairness before the agency can grant such petition.
3. The Petitioner has demonstrated that he is entitled to sit for the examination due to family illness, which the Board considered an extenuating circumstance.

A copy of the Order may be obtained by contacting: Board of Opticianry, Sue Foster, Executive Director, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on April 10, 2007, the Board of Podiatric Medicine has issued an order.

The Board of Podiatric Medicine hereby gives notice that it has issued an Order on the Petition for Variance/Waiver, which was filed on January 23, 2007 on behalf of James Louis Thomas, D.P.M. The Notice of Petition for Variance/Waiver was published in Vol. 33, No. 6, of the February 9, 2007, F.A.W. The Petitioner sought a waiver of Rule 64B18-11.001, F.A.C., entitled "Application for Licensure," and Rule 64B18-11.002, F.A.C, entitled "Examination for Licensure" requiring that he take and pass the PM Lexis examination after August 1996. The Board of Podiatric Medicine considered the Petition at its meeting held on March 30, 2007, in Tampa, Florida. The Board's Order, filed on April 10, 2007, granted the Petition for waiver of Rule 64B18-11.001 and Rule 64B18-11.002, F.A.C., finding that, given the particular circumstances pertinent to the petitioner's employment and academic and professional standing, denying his petition would violate principles of fairness and constitute a substantial hardship for the petitioner.

A copy of the Order may be obtained by contacting: Joe Baker, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3258.

NOTICE IS HEREBY GIVEN THAT on June 7, 2007, the Board of Psychology, received a petition for Judith I. Pool, Ph.D., seeking a variance or waiver of Rule 64B19-11.005, F.A.C., which requires that all applicants for licensure complete at least 2,000 hours of post doctoral experience under a supervisor whose supervision comports with this rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, or telephone (850)245-4373, ext. 3480. Comments on this petition should be filed with the Board of Psychology/MQA within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on June 8, 2007, the Department of Health, received a petition for Variance from or Waiver of Agency paragraphs 64F-12.012(3)(a) and (c), F.A.C. The petition seeks an emergency variance from or waiver of paragraphs 64F-12.012(3)(a) and (c), F.A.C. incorporating by reference prescription drug pedigree forms DH2129 and DH2135. Specifically the Petition seeks a variance or waiver of the form requirements for providing the name and signature of the person who receives a prescription drug on behalf of a repackager.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, R.Ph., Executive Director, Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399, (850)245-4292.