

(2) The following publications are hereby adopted and incorporated by reference herein and added to the Florida Fire Prevention Code and shall take effect on the effective date of this rule: ***

NFPA 52-2006 edition, Vehicular Fuel Systems Code ~~Compressed Natural Gas Vehicular Fuel Systems Code~~***

NFPA 92A-2006 edition, Standard Recommended Practice for Smoke-Control Systems Utilizing Barriers and Pressure Differences***

NFPA 92B-2005 edition, Standard Guide for Smoke Management Systems in Malls, Atria, and Large Spaces ~~Areas~~***

NFPA 105, 2003 edition, Standard for Recommended Practice for the Installation of Smoke-Control Door Assemblies

NFPA 115, 2003 edition Standard for Recommended Practice on Laser Fire Protection

NFPA 160-2006 edition, Standard for Use of Flame Effects Before an Audience***

~~NFPA 230 2003 edition, Standard for the Fire Protection of Storage~~***

NFPA 251, 2006 edition Standard Methods of Tests of Fire Resistance ~~Endurance~~ of Building Construction and Materials

NFPA 484-2006 edition, Standard for Combustible Metals, ~~Metal Powders, and Metal Dusts~~***

NFPA 703-2006 edition, Standard for Fire Retardant-~~Treated~~ ~~Impregnated~~ Wood and Fire-Retardant Coatings for Building Materials***

NFPA 750-2006 edition, Standard on ~~for~~ Water Mist Fire Protection Systems***

~~NFPA 8501, 1997 edition, Standard for Single Burner Operation~~

~~NFPA 8502, 1999 edition, Standard for the Prevention of Furnace Explosions/Implosions in Multiple Burner Boilers~~

NFPA 1221, 2007 edition, Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems

NFPA 1561-2005 ~~7~~ edition, Standard on Emergency Services Incident Management System***

NFPA 1962, 2003 edition, Standard for the Inspection, Care, and the Use of Fire Hose, ~~Including~~ Couplings, and Nozzles; and the Service Testing of Fire Hose

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."

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District, Intends to grant a variance from paragraph 40C-4.302(1)(c), Florida Administrative Code (F.A.C.), and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters (July 1, 2007), including Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c), to Fred D. Boozer, Jr., for the construction of a multi-family, observational pier. The project is located in Section 1, Township 26 South, Range 36 East, Brevard County, Florida. Paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters (July 1, 2007), including Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c), are designed to protect Class II or Class III waters which are classified as approved, restricted, conditionally approved or conditionally restricted for shellfish harvesting and require permit applicants to comply with additional criteria when the proposed work is located in, adjacent to, or in close proximity to such waters. The petitioner seeks a variance pursuant to

Section 373.414(17), Florida Statutes (F.S.), in conjunction with Environmental Resource Permit Application 4-009-106121-1, to construct a multi-family, observational pier. The work would occur in the Indian River Lagoon which in this area is a Class II water. Notice of receipt of the petition for variance was published in the *Florida Administrative Weekly* on December 14, 2007. The District's Governing Board is scheduled to take final action on the petition for variance and the related permit application at its meeting on April 8, 2007.

A person whose substantial interests are or may be affected by the District's intended action has the right to request an administrative hearing by filing a written petition with the District. Pursuant to Chapter 28-106 and Rule 40C-1.1007, F.A.C., and Section 403.201, F.S., the petition must be filed (received), either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within fourteen (14) days of this publication date (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. The District will not accept a petition sent by facsimile (fax), as explained below. Mediation pursuant to Section 120.573, F.S., is not available.

If the Governing Board takes action that substantially differs from this notice, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106 and Rule 40C-1.1007, F.A.C., the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described above, within fourteen (14) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice), within fourteen (14) days of the District emailing the notice of final District decision (for those persons to whom the District emails actual notice), or within fourteen (14) of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail or email actual notice). The petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. Mediation pursuant to Section 120.573, F.S., is not available.

A person whose substantial interests are or may be affected has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), F.S., where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must also comply with the requirements set forth in Rule 28-106.201, F.A.C. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), F.S., where no material facts

are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, F.A.C.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida. Petitions received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.

Pursuant to Section 120.68, F.S., a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure within 30 days of the rendering of the final District action.

A party to the proceeding before the District who claims that a District order is inconsistent with the provisions and purposes of Chapter 373, F.S., may seek review of the order pursuant to Section 373.114, F.S., by the Florida Land and Water Adjudicatory Commission, by filing a request for review with the Commission and serving a copy on the Department of Environmental Protection and any person named in the order within 20 days of the rendering of the District order. Review by the Florida Land and Water Adjudicatory Commission is not available for final orders resulting from an evidentiary hearing held under Sections 120.569 and 120.57, F.S.

Failure to timely file a petition for administrative hearing under Sections 120.569 and 120.57, F.S., for judicial review under Section 120.68, F.S., or for Commission review under Section 373.114, F.S., shall result in waiver of that right to review. A District action (order) is considered rendered after it is signed on behalf of the District and filed by the District Clerk.

The petition for variance (F.O.R. 2007-73) and permit application files are available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays, at District Headquarters. To request copies or inspection of these files, contact Mary Ellen Winkler, Assistant General Counsel, Office of General Counsel, at the address above, or by telephone at (386)312-2340.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on February 25, 2008, the Board of Accountancy, received a petition for David M. Falkins, seeking a variance or waiver of subsection 61H1-33.001(1), F.A.C., which requires that each licensee on or before December 31, prior to biennial license renewal, complete on-line or mail completed answers to the Florida Laws and Rules examination. Petitioner is also seeking a variance or waiver of subsection 61H1-33.006(2), F.A.C., which requires that an applicant for reactivation demonstrate successful completion of the required number of continuing professional education hours.

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

NOTICE IS HEREBY GIVEN THAT on March 3, 2008, the Board of Accountancy, received a petition for Mark Senseman, seeking a variance from subsection 61H1-33.006(2), Florida Administrative Code, and the penalty CPE requirements for licensure reactivation. Petitioner is also seeking a variance from Rule 61H1-33.0031, F.A.C., which requires that a licensee complete four hours of Board-approved ethics CPE in a 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, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on March 3, 2008, the Board of Accountancy, received a petition for Misty Tindol, seeking a variance or waiver of subsection 61H1-33.001(3), Florida Administrative Code, which requires that the scan sheet for the Laws and Rules Examination be postmarked or completed on-line by or on December 31 and will not be accepted if it is postmarked or completed on-line after that date.

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

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."

DEPARTMENT OF HEALTH

Notice is hereby given that on March 12, 2008, the Board of Medicine filed a petition for waiver or variance by Gerry Meta, M.D., from Rule 64B8-8.0011, F.A.C. The petition seeks a waiver or variance with regard to the prohibition of a physician on probation providing supervision to a physician assistant. 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.

For a copy of the petition, contact: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on February 20, 2008, the Board of Optometry, received a petition for Variance or Waiver filed on February 20, 2008 on behalf of Lisa A. McKim, O.D. Petitioner seeks a variance of Rule 64B13-4.001, F.A.C., entitled "Examination Requirements." Specifically, the Petitioner, an out-of-state optometrist who has applied for an optometrist license in Florida, requests for reasons stated in the petition that the Board waive or grant a conditional variance of the requirement under Rule 64B13-4.001, F.A.C., which determines that a passing score must be obtained on all parts of the NBEO examination within the five years immediately prior to application for the state examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN that on March 5, 2008, the Board of Pharmacy, received a petition for Amal Georges Chleil, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or by telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 10, 2008, the Board of Pharmacy, received a petition for Ingrid Mary Bendeck, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 10, 2008, the Board of Pharmacy, received a petition for Ursula M. Salarrayan, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Board of Pharmacy, received a petition for Judimith Hernandez-Chang, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Board of Pharmacy, received a petition for Bok Ram Park, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee,

Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Board of Pharmacy, received a petition for Se Young Yoon, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Board of Pharmacy, received a petition for Ebenezer S. Adu, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Board of Pharmacy, received a petition for Mirley Aleman-Alejo, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 12, 2008, the Board of Pharmacy, received a petition for Kalpesh A. Patel, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on March 10, 2008, the Board of Pharmacy, received a petition for Tejaskumar Patel, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, or telephone (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on March 10, 2008, the Department of Health, received a petition for waiver from Jason Churchill, representing Orenco Systems, Inc. Specifically, the petitioner seeks a waiver from subparagraph 64E-6.009(7)(a)4. and Rule 64E-6.0295, Florida Administrative Code, which requires empirical data showing results of innovative system testing in the State of Florida and provides the method for reclassifying an innovative technology as performance-based.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on March 6, 2008, the Department of Children and Family Services, received a petition for Waiver of Rule 65C-15.017, F.A.C. The petition was received from Children’s Home Society of Florida on behalf of Christine Nedd, assigned Case No. 08-002W. Rule 65C-15.017, F.A.C., governs the educational and work experience requirements of Persons operating or employed by a license child-placing agency.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF STATE

The **Friends of Mission San Luis** announces a public meeting to which all persons are invited.

DATE AND TIME: April 14, 2008, 12:00 Noon

PLACE: Mission San Luis, Archaeology Lab, 2021 Mission Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business to be discussed will include fundraising and endowment activities, upcoming social events and other board business.

A copy of the agenda may be obtained by contacting Nicole Belanger at (850)486-1666.

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 Nicole Belanger at (850)486-1666. 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 LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 16, 2008, 2:00 p.m. – 4:00 p.m.

PLACE: Toll Free Dial in Number: 1(888)808-6959

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting: Michael Coard via telephone at (850)414-3300 or via e-mail at Michael.Coard@myfloridalegal.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 the Bureau of Criminal Justice Programs at (850)414-3300. 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).