

~~(10) Receive and expend sums of money from any source and to act as an agency to expend funds for any lawful purpose.~~

~~(11) Act in an advisory capacity to the constituent local governments in regional, metropolitan, county and municipal planning matters and other matters concerning the acquisition, planning, construction, development, financing, control, use, improvement, and disposition of lands, buildings, structures, facilities, goods or services in the interest of the public, or for public purposes involving the expenditure of public funds.~~

~~(12) Cooperate, in the exercise of its planning functions, with federal and state agencies in planning for disaster preparedness.~~

~~(13) To select and appoint such advisory bodies as the Council may find appropriate for the conduct of its activities.~~

~~(14) Own, erect, construct, reconstruct, build, sell, purchase, lease, sub lease, lease with option to purchase, and maintain any lands, buildings, structures, facilities and premises, and to dispose of in any lawful manner any and all property, real and personal, owned by the Council.~~

~~(15) To borrow money, incur debts and liabilities, pledge Council assets, mortgage and encumber Council property.~~

~~(16) Conduct studies of the region's resources.~~

~~(17) Participate with other governmental agencies, educational institutions, and private organizations in the coordination or conduct of its activities.~~

~~(18) Enter into contracts to provide, at cost, such services related to its responsibilities as may be requested by local governments within the region which the Council finds feasible to perform.~~

Specific Authority 160.06, 163.01 FS. Law Implemented 160.06, 160.07, 163.01(5), 380.06(8), 380.06(11), 380.06(22) FS. History–New 9-24-75, Amended 8-10-78, 12-10-80, Formerly 29E-1.06, Amended_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-108.101
RULE TITLE: Inmate Substance Abuse Testing
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. 34, No. 12, March 21, 2008 issue of the Florida Administrative Weekly.

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) Definitions.

(a) through (g) No change.

(h) Threshold Level – the concentration of a drug in the urine used to determine whether the test will be considered positive or negative. The threshold level for confirmation testing is the lowest ~~legally defensible, scientifically~~

~~acceptable, level that can accurately identify and quantify the presence of a drug of quantification (L.O.Q.) as determined by the contract tester.~~

(2) through (3) No change.

Specific Authority 944.09, 944.472, 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, Amended_____.

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 ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.506
RULE TITLE: Wekiva Springs Study Area TMDLs
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 16, April 18, 2008 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule was published as Rule 62-304.505 Middle St. Johns River TMDLs, and has been changed to Rule 62-304.506, Wekiva Springs Study Area TMDLs.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.: 64E-14.002, 64E-14.003, 64E-14.004, 64E-14.006, 64E-14.009, 64E-14.016
RULE TITLES: Definitions, Construction Procedures, Permit, Standards, Inspections, Violations, Complaints and Retaliation, Sites, Garbage and Refuse Disposal, Field Sanitation Facilities
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. 33, No. 29, July 20, 2007 issue of the Florida Administrative Weekly.

The changes are made in response to comments received from the Joint Administrative Procedures Committee, the public hearing, and comments received during the time period allowed for submission of materials.

Subsection 64E-14.002(3) has been changed so that when adopted it will read:

(3) For the purpose of this rule, the term "Department" has the same meaning as the definition that appears in Section 381.008(2), F.S.

Subsection 64E-14.002(5) has been changed so that when adopted it will read:

(5) "Field" – A cultivated expanse of land, especially one devoted to a particular crop. For example, a farm producing wheat, rice, corn, soybeans, barley, beans, rye, sorghum, cotton, tobacco, potatoes, sugar crops, hay, peanuts, mint, hops, tomatoes, strawberries and other such crops.

Subsection 64E-14.002(6) has been changed so that when adopted it will read:

(6) For the purpose of this rule, the term "Garbage disposal" has the same meaning as the definition that appears in Section 381.008(12), F.S.

Subsection 64E-14.002(9) has been changed so that when adopted it will read:

(9) "Hand tools" – any hand-held implement used in agriculture by manual laborers to prep and plant field crops for harvest.

Subsection 64E-14.002(10) has been changed so that when adopted it will read:

(10) "Incident of employment" – Something that is contingent upon or related to being employed. For the purpose of this rule, this term shall also mean the same as condition of employment. Examples include housing provided by farm labor contractors or growers for the migrant and seasonal farmworkers they employ or that are employed by any other farm labor contractors.

Subsection 64E-14.002(11) has been changed so that when adopted it will read:

(11) For the purpose of this rule, the term "Lighting" has the same meaning as the definition that appears in Section 381.008(10), F.S.

Subsection 64E-14.002(12) has been changed so that when adopted it will read:

(12) "Major deficiency" – Non compliance of a standard or numerous violations of the standards of this chapter which solely or collectively cause an imminent threat to public health or cause a high risk of injury. Examples of major deficiencies are untreated sewage on the ground, unsafe or deteriorated housing, contaminated water supply, holes in floors extending completely through the original designed exterior, unsafe stairs and flooring posing a risk of persons falling, unsafe ceiling with risk of imminent collapse, ceiling or roof leaks, gas leaks, exposed or cross connection of electrical wires, boarded windows where the 10 percent window area requirement is not met, boarded doorways providing egress or ingress.

Subsection 64E-14.002(14) has been changed so that when adopted it will read:

(14) For the purpose of this rule, the term "Migrant labor camp" has the same meaning as the definition that appears in Section 381.008(5), F.S.

Subsection 64E-14.002(15) has been changed so that when adopted it will read:

(15) For the purpose of this rule, the term "Personal hygiene facilities" has the same meaning as the definition that appears in Section 381.008(9), F.S.

Subsection 64E-14.002(18) has been changed so that when adopted it will read:

(18) For the purpose of this rule, the term "Residential migrant housing" has the same meaning as the definition that appears in Section 381.008(8), F.S.

Subsection 64E-14.002(20) has been changed so that when adopted it will read:

(20) For the purpose of this rule, the term "Sewage disposal" has the same meaning as the definition that appears in Section 381.008(11), F.S. The standards by which a facility is "approved" for "satisfactory treatment and disposal of human excreta and liquid waste" are Chapter 64E-6 or Chapter 62-600, F.A.C. All facilities shall be constructed and maintained in compliance with the requirements established in these chapters, as appropriate, before receiving a permit.

Subsection 64E-14.003(5) has been changed so that when adopted it will read:

(5) For the purpose of the rule, this subsection has the same meaning as Section 381.0086(6), F.S.

Rule 64E-14.004 has been changed so that when adopted it will read: "Standards, Permits, Inspections, Violations, Complaints and Retaliation.

(1) Standards. Before any person establishes, operates, or allows occupancy of a migrant labor camp or residential migrant housing, the operator shall ensure that the camp or housing complies with the minimum standards of construction, sanitation, and equipment established in Sections 381.008 through 381.00897, Florida Statutes, the rules of this chapter, and the Occupational Safety and Health Act of 1970, 29 U.S.C. s. 655, or the Housing and Urban Development (HUD) Chapter 10 Housing Quality Standards as referenced in the Housing Choice Voucher Program Guidebook 7420.10G effective as of April 2001. The Occupational Safety and Health Administration (OSHA) standards for Temporary Labor Camps in 29 U.S.C. s. 655, and HUD's Chapter 10 Housing Quality Standards in the Housing Choice Voucher Program Guidebook 7420.10G, are herein adopted and incorporated by reference. A copy of the OSHA Standards can be obtained at http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=STANDARDS&p_id=9791 or U.S. Government Printing Office, 732 N Capital Street, Washington, DC, 20401. A copy of the Chapter 10 HUD Housing Quality Standards referenced in the Housing Choice Voucher Program Guidebook can be obtained at the U. S. Department of Housing and Urban Development Office located at Brick Plaza, 909 S. E. 1st Ave., Room #500, Miami, Florida 33131 or at <http://www.doh.state.fl.us/environment/community/migrant-labor/index.html>. Any housing that is furnished as a condition of employment so as to subject it to the requirements of OSHA shall only be inspected under the OSHA standards. This

applies to migrant labor camps as that term is defined in subsection 64E-14.002(14), F.A.C. The HUD standards are applicable only to housing authority projects funded to house migrant and seasonal farmworkers. Mobile Home Parks that have 5 or more seasonal or migrant farmworkers as occupants of the park will be issued a revised Mobile Home/RV Park and Residential Migrant Housing Permit.”

Paragraph 64E-14.004(4)(c) has been changed so that when adopted it will read:

(4)(c) Migrant farmworker occupied mobile homes in a mobile home park meeting the 5 or more seasonal or migrant farmworker requirement, will be inspected and required to meet the migrant program standards when issued a revised Mobile Home/RV Park and Residential Migrant Housing Permit. Inspections shall be conducted using inspection form DOH 4060, 01/05, Migrant Labor Camp or Residential Migrant Housing Inspection Report, herein incorporated by reference, in accordance with this paragraph. The form may be obtained at the county health departments located in each county or at: <http://www.doh.state.fl.us/environment/community/migrant-labor/index.html>.

Subsection 64E-14.006(1) has been changed so that when adopted it will read:

(1) All sites shall be well drained, free from standing water, and maintained to inhibit the breeding of mosquitoes. Natural sinkholes, swamps, pools, or other surface collections of water are not allowed within 200 feet of the periphery of the outermost building, unless such quiescent water surfaces can and will be subjected to mosquito control measures. A government created surface water diversion pool built within 200 feet of the outermost shelter after the origination of the housing shall not disqualify the housing from meeting this location standard.

Subsection 64E-14.009(3) has been changed so that when adopted it will read:

(3) Provisions shall be made for disposing of the garbage, kitchen wastes and other refuse in accordance with Chapter 62-701, F.A.C. and local codes, as applicable.

Subsection 64E-14.016(4) has been changed so that when adopted it will read:

(4) Drinking water shall be potable and provided in containers constructed of smooth, impervious, corrosion resistant material. Hydrocoolers or water coolers constructed as such are acceptable for use. Potable water containers shall be maintained by sanitary methods. The interiors of potable water containers shall be cleaned and sanitized at least daily. The containers shall be marked with the words “Drinking Water”, in English and in the native language of the majority of the workers. Single service cups shall be provided unless bottled water is provided or water is dispensed from a fountain equipped with an angled, protected jet outlet. Ice used for cooling drinking water shall be made from potable water. The water shall be suitably cool and in sufficient amounts, taking

into account the air temperature, humidity and the nature of the work performed, to meet the needs of all employees. County health department staff, during the normal course of their work, shall take water samples at random to ensure the potability of the drinking water.

Subsection 64E-14.016(5) has been changed so that when adopted it will read:

(5) The owners, operators, crewleaders, or primary persons in charge shall ensure that sanitary facilities are available (handwashing receptacles, soap, water, etc.) to allow for washing of hands after working in the fields and before drinking, eating or smoking tobacco. Farmworkers shall be reminded not to eat unwashed produce from the field or use pesticide containers or other items from the field for food or drinking containers to prevent accidental ingestion of pesticide residues.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-1.900 Overpayment and Benefit Recovery
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. 34, No. 10, March 7, 2008 issue of the Florida Administrative Weekly.

TEXT OF THE PROPOSED RULE CHANGE:

65A-1.900 Overpayment and Benefit Recovery.

(2) Persons Responsible for Repayment of Overpayment.

(a) Persons who received AFDC and cash assistance overpayments as an adult shall be responsible for repayment of the overpayment recovered ~~from the participant as that term is defined in Section 414.0252, F.S.~~

Specific Authority 409.919, 414.41, 414.45 FS. Law Implemented 24.115(4), 414.31, 414.41 FS. History—New 7-21-92, Amended 1-5-93, 9-5-93, Formerly 10C-1.900, Amended 7-9-98, 4-2-00, 2-26-02, 3-18-03, 7-21-05,_____.

**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.”