

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: February 4, 2011

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 COMMUNITY AFFAIRS
NOTICE IS HEREBY GIVEN that on January 31, 2011, the Department of Community Affairs, received a petition for waiver from Robert R. McDonald, Greenberg Traurig, on behalf of William Scotsman, Inc. It has been assigned the number DCA11-WAI-029.

RULE NUMBER: 9B-1.030, Fla. Admin. Code
NATURE OF RULE: Provision of Rule 9B-1, F.A.C., requiring an insignia designating compliance with applicable standards and rules be affixed to a factory built school building prior to its leaving the factory.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

The Department of Community Affairs hereby gives notice that a Final Order Denying a Petition for Variance was issued on February 2, 2011.

NAME OF PETITIONER: Kissimmee Bay Country Club.
DATE PETITION WAS RECEIVED: November 8, 2010.
RULE NUMBER AND NATURE OF RULE FROM WHICH WAIVER OR VARIANCE WAS SOUGHT: Rule 9G-14.003, Fla. Admin. Code, relating to annual registration fees for hazardous chemicals. This waiver was requested pursuant to the provisions of Section 120.542, Fla. Stat., and Rule 28-104.002, Fla. Admin. Code. It was assigned the number DCA10-WAI-229.

GENERAL BASIS FOR THE AGENCY DECISION: The Department determined that the petition did not meet the criteria for granting a variance or waiver to a rule under Section 120.542, F.S. and Chapter 28-104, F.A.C., in that it did not specify how a variance would serve the purposes of the underlying statute and did not explain how the rule affected the

Petitioner in a manner significantly different from the way it affects other similarly situated facilities that are subject to the rule.

A copy of the Order or additional information may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on February 3, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On December 2, 2010, the Criminal Justice Standards and Training Commission, received a petition for a waiver of paragraph 11B-27.013(8)(b), F.A.C., by Robert J. Dudley. The rule requires canine team instructors who wish to become canine team evaluators to successfully train twelve patrol canine teams to FDLE standards and document the training by using form CJSTC-70. The Petitioner has successfully trained 29 patrol canine teams, but only seven of them have achieved certification through FDLE. Many teams trained by Petitioner were certified through the United States Police Canine Association, which is an accepted certification standard in Florida. The Petitioner requested that the canine teams that he trained to certification through the United States Police Canine Association be recognized as the equivalent of FDLE canine team certification in fulfillment of the rule, or, in the alternative, that the seven teams that he trained to FDLE canine team certification would suffice to fulfill the rule requirement of training twelve FDLE certified canine teams for the purposes of obtaining his Canine Team Evaluator status.

Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 50 on December 17, 2010. On February 3, 2011, at its regularly scheduled business agenda meeting held in Lake Mary, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness because of the low turn-over and small size of the Petitioner's constituent agencies, which gave him little chance to train the requisite number of teams to achieve FDLE certification. The Commission found that the purposes of the underlying statute, which is to ensure that canine team instructors have sufficient experience in training canine teams prior to becoming canine team evaluators, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327, or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on February 3, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On November 24, 2010, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.0011(4), F.A.C., by Andrea Johnson-Minnis. The rule requires that CJSTC instructor candidates and instructors must maintain good moral character prior to becoming certified or recertified. The Petitioner wishes to waive those portions of the rule requiring her to possess good moral character as a prerequisite to reactivating her inactive instructor certification. Petitioner's corrections certificate was revoked by the Commission in 1990, which is seen as prima facie evidence of lack of good moral character. Petitioner subsequently obtained an instructor certificate which became inactive in 2007. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 49 on December 10, 2010.

On February 3, 2011, at its regularly scheduled business agenda meeting held in Lake Mary, Florida, the Commission found that the Petitioner's situation is not unique. The Petitioner failed to demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that instructors have good moral character, will not be met by granting this waiver request. The Commission denied the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327, or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on February 3, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On December 3, 2010, the Criminal Justice Standards and Training Commission received a petition for permanent waiver of paragraphs 11B-27.00213(4)(a), (b), F.A.C., by Tabitah Williams. The rule requires recruits employed by agencies on a temporary employment authorization (TEA) to have a four-year break in service before they may enter into another TEA if their TEA is terminated prior to the recruit becoming certified. Petitioner's employer terminated her employment for cause while she was on a TEA. Petitioner seeks a waiver of this rule so that she may seek another TEA immediately at another facility and, thereby, remain employed while she fulfills the requirements of Section 943.13, F.S., to become certified.

Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 36, No. 50, December 17, 2010.

On February 3, 2011, at its regularly scheduled business agenda meeting held in Lake Mary, Florida, the Commission found that the Petitioner's situation is not unique. The Petitioner failed to demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure TEAs are well prepared to work for agencies, will not be met by granting this waiver request. The Commission denied the Petitioner's waiver with prejudice unless she can bring new evidence before the Commission. This is the second time this Petitioner has brought this exact request for a rule waiver before the Commission. The Commission first denied this waiver at its August 2010 regularly scheduled business meeting.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327, or by telephoning (850)410-7676.

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 January 21, 2011, the St. Johns River Water Management District, received a petition for variance from The Harrod Group, Inc., pursuant to Section 120.542, Florida Statutes. Petitioner is seeking a variance from subsection 40C-41.063(5), F.A.C., and Section 11.4.3 of the Applicant's Handbook: Management and Storage of Surface Waters (December 27, 2010) (A.H.), for Environmental Resource Permit (ERP) Application number 40-095-45929-3. The permit applicant is proposing to construct an 18-lot residential subdivision to be known as River Isle, in Orange County. Subsection 40C-41.063(5), F.A.C., and Section 11.4.3, A.H., require the permit applicant to provide reasonable assurance that the construction, alteration, operation, maintenance, removal or abandonment of a system will not adversely affect the abundance, diversity, food sources or habitat of aquatic or wetland dependent species within the designated Riparian Habitat Protection Zone (RHPZ). Subsection 40C-41.063(5), F.A.C., and Section 11.4.3, A.H., are intended to protect the RHPZ and the functions it provides to aquatic and wetland dependent species from the adverse effects of development. Comments on this petition should be filed with Christopher Mitchell, 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 2011-08.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kris Davis, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, or by telephone at (386)329-4390.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that on February 2, 2011, the Agency for Workforce Innovation, received a petition for variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by: Early Learning Coalition of St. Lucie County, 804 S. 6th Street, Fort Pierce, FL 34950.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC #140, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN that on February 2, 2011, the Agency for Workforce Innovation, received a petition for waiver of paragraph 60BB-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by the: Early Learning Coalition of St. Lucie County, 804 S. 6th Street, Fort Pierce, FL 34950.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC #140, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN that on February 2, 2011, the Agency for Workforce Innovation, received a petition for Variance of subsection 60BB-4.100(22), F.A.C., which provides the definition of “working family” in the context of determining the eligibility to receive services for the state’s school readiness program. The Petition was filed by the Early Learning Coalition of St. Lucie County, 804 S. 6th Street, Fort Pierce, FL 34950.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC 140, Tallahassee, Florida 32399.

NOTICE IS HEREBY GIVEN that on February 3, 2011, the Agency for Workforce Innovation, received a petition for Variance of subsection 60BB-4.100(22), F.A.C., which provides the definition of “working family” in the context of determining the eligibility to receive services for the state’s

school readiness program. The Petition was filed by the Redlands Christian Migrant Association, 402 West Main Street, Immokalee, FL 34142.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC 140, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on February 7, 2011, the Department of Business and Professional Regulation, 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), and 61C-4.010(6), Florida Administrative Code from Mariachi’s Grill located in Groveland. 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 Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver 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 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Sarasota Memorial Hospital, filed November 10, 2010, and advertised in Vol 36, No 47, 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 to allow the installation of an Otis Gen2™ elevator systems at the above project 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 2010-676).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from The Greens at Pinebrook, filed November 24, 2010, and advertised in Vol 36, No 47, 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 January 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 2010-673).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from The Water Club, filed November 30, 2010, and advertised in Vol 36, No 50, 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 Chapter 30, Section 3002.3 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires a permanent sign above each hall push station on each floor 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 2010-708).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from 56 East Pine Street, filed December 3, 2010, and advertised in Vol. 36, No. 50, 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 2.2.4.2 ASME A17.1, 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 providing ladder access to the elevator pit 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 2010-711).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Crosswinds Colony One Condo, filed November 8, 2010, and advertised in Vol. 36, No. 47, 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), 3.11.1(a)(1), 3.3.2, 2.2.3, 3.4.5, 3.9.1(a), 3.10.3 and 4.7.8 ASME A17.3, 1996 edition and from Rule 303.3d ASME A17.1, 1978 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, in-car stop switch, emergency alarm signal, platform guards, lighting, car illumination, normal terminal stopping devices, top-of-car operating devices, emergency operation and signaling devices and supply line shutoff valve until February 1, 2014 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 2010-670).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Wachovia Bldg., filed November 12, 2010, and advertised in Vol. 36, No. 47, 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 15, 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 2010-680).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Willow Wood Condo Assoc. I, filed November 3, 2010, and advertised in Vol. 36, No. 47, 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 2010-667).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Marko Villas Condo, filed November 29, 2010, and advertised in Vol. 36, No. 49, 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 2.7.4 and 3.11.1 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 upgrading the elevators for restricted door openings and emergency alarm system until October 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 2010-700).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Voyager Beach Club Condo Assoc., filed November 29, 2010, and advertised in Vol. 36, No. 49, 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 January 1, 2014 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 2010-701).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Sun King Towers, filed January 4, 2011, and advertised in Vol. 37, No. 2, 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 2.7.4, 3.3.2 and 3.10.4(q) ASME A17.3, 1996 edition and from Rule 303.3d ASME A17.1, 1980 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 restricted door openings, platform guards, normal terminal stopping devices and supply line shutoff valve until December 15, 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 2011-002).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On

January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Allied Building, filed January 18, 2011, and advertised in Vol. 37, No. 4, 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 and 3.10.4(u) ASME A17.3, 1996 edition and from Rule 303.3d ASME A17.1, 1980 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, emergency stop switch and supply line shutoff valve until December 15, 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 2011-015).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from The Portland, filed November 16, 2010, and advertised in Vol. 36, No. 47, 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 2.20.4 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 the use of a 9.5 mm steel rope and requirement of 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 2010-689).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from North Shore Normandy Assoc., filed November 15, 2010, and advertised in Vol. 36, No. 47, 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 2.7.4 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 restricted door openings until January 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 2010-686).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Big Bend Station, filed November 12, 2010, and advertised in Vol. 36, No. 47, 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 5.7.12.2 ASME A17.1, 2000 edition, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that limits a special purpose elevator's capacity to 1000 lbs. 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 2010-683).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Typress Cathedral Apts., filed January 10, 2011, and advertised in Vol. 37, No. 3, 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 and 3.10.4(u) 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 and emergency stop switch until September 30, 2011 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 2011-009).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 31, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Smurfit Stone Containers, filed December 20, 2010, and advertised in Vol. 37, No. 1, 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 January 31, 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 2010-734).

A copy of the Order 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 January 21, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for City of Ft. Myers. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.4.1.5 and 2.15.9.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that to allow the use of a retracting toe guard 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 2011-024).

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 January 21, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for City of Ft. Myers. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.10.2.1 and 2.4.6.2(c), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that would allow the use of folding handrail on the elevator car top 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 2011-025).

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 January 24, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Bahia Vista. Petitioner seeks a 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 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-026).

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 January 24, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Bristol Court Assisted Living. Petitioner seeks a variance of the requirements of ASME A17.1, Section 8.6.5.8, 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 safety bulkhead on the bottom of the hydraulic jack 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 2011-027).

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 January 25, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for 440 West Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3 and 3.3.2, 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 and platform guard 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 2011-028 & VW 2011-029).

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 January 27, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Sunshine Towers. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4, 3.10.3(e) and 3.9.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations, restricted door openings, top-of-car operating devices and normal terminal stopping devices 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 2011-032).

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 February 1, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Lagoon Towers. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.15.9.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that would allow the use of a retracting toe guard 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 2011-034).

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 February 1, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Destin Beach Club. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.15.9.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that would allow the use of a retracting toe guard 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 2011-035).

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 February 1, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Lagoon Towers. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.10.2.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that would allow the use of a retracting folding car top handrail which poses a significant economic/financial hardship. Any interested person may file comments within 5-14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-036).

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 February 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Terrace East Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4 and 3.10.4(t), 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, restricted door openings and car stop switch 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 2011-043).

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 February 7, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Park Lane Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4, 3.11.1(a)(1), 3.10.4(t), 2.2.3 and 3.4.5, 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, restricted door openings, emergency communication, stop switch, machine room lighting and minimum lighting 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 2011-045).

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 February 7, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Edison College Bldg. U. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5 and 8.11.2.1.3(cc)(1)&(3), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that would allow the installation of an EcoSpace® elevator system 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 2011-046).

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 February 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Monte Carlo Towers. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.11.1.3 and 2.11.10.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code and Section 3002.6 Florida Building Code that allows a telephone as an alternative to emergency doors, requires illumination at landing sills and prohibits any doors other than hoistway and elevator car doors and the point of access to an elevator 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 2011-048).

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 February 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Colonial Square Building. Petitioner seeks a 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 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-049).

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 February 2, 2011, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for variance from PPI, Inc., d/b/a The Isle Casino & Racing at Pompano Park, Petitioner, DBPR Case No. 2011005602 (VW 2011-038). Petitioner is a pari-mutuel slot machine gaming facility licensed pursuant to Chapter 551, Florida Statutes, whose address is 1800 S.W. 3rd Street, Pompano Beach, Florida 33069. The Petition lists Rule 61D-14.073, Florida Administrative Code (F.A.C.), from which it seeks a variance. Specifically, Petitioner requests a variance from subsection 61D-14.073(1), F.A.C., that requires every Florida licensed slot machine facility to monthly manually read all slot machine meters referenced in subsections 61D-14.042(1)-(2), F.A.C., and reconcile those readings with the information on the facility based monitoring system (FBMS). Petitioner requests a variance to conform its practices to proposed amended subsection 61D-14.073(1), F.A.C., which would require each licensed slot machine facility to record 25% of its slot machine meters each quarter and reconcile them with information in its FBMS. Notice of adoption of proposed subsection 61D-14.073(1), F.A.C., (together with eleven other slot machine proposed rules) was published on October 22, 2010, in Vol. 36, Issue 42, Florida Administrative Weekly (FAW). Petitioner requests a variance because monthly meter readings cause a substantial hardship and quarterly meter readings in accordance with the proposed rule will nevertheless accomplish the public purpose behind Section 551.103(1)(d), Florida Statutes. Petitioner also requests that the variance be temporary only until proposed subsection 61D-14.073(1), F.A.C., becomes final. Any person whose substantial interests may be affected by a variance on the subject matter of the Petition may file a petition to intervene within 14 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, (phone: (850)921-0342).

The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on February 4, 2011, by Timothy P. Atkinson, Esq., on behalf of Kevin E. Trenski, seeking a permanent waiver or variance of paragraphs 61G4-15.001(2)(a) and (b), F.A.C., dealing with qualifications

for certification, and verification of active experience by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer, in the applicant's category, who is licensed in good standing or a licensed building official.

Comments on this petition should be filed with Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

For a copy of the petition, contact: G.W. Harrell, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)487-1395.

The Construction Industry Licensing Board hereby gives notice that it has received a petition, filed on February 2, 2011, by Timothy P. Atkinson, Esq., on behalf of Michael C. Robitzsch, seeking a permanent waiver or variance of paragraphs 61G4-15.001(2)(a) and (b), F.A.C., dealing with qualifications for certification, and verification of active experience by affidavits prepared or signed by a state certified Florida contractor, or an architect or engineer, in the applicant's category, who is licensed in good standing or a licensed building official.

Comments on this petition should be filed with: Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

For a copy of the petition, contact: G.W. Harrell, Executive Director, Construction Industry Licensing Board, at above address or telephone (850)487-1395.

The Board of Professional Engineers hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Alan Grossman, filed on April 22, 2010. The Notice of Petition for Variance or Waiver was published in Vol. 36, No. 24, of the June 18, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on June 17, 2010. The Petition requested a Variance or Waiver of subsection 61G15-20.0015(5), Florida Administrative Code, with respect to Petitioner having held a valid professional engineers license in another state for 15 years and has 20 years of continuous professional-level experience with a non-engineering degree.

The Board's Order, filed on August 23, 2011, grants the Petition for Variance or Waiver of subsection 61G15-20.0015(5), Florida Administrative Code. The Board found that Petitioner has met the purpose of the underlying statute based upon the length and type of experience as a professional engineer in New Jersey, and has otherwise shown that the application of the rule violates principles of fairness.

A copy of the Board's Order may be obtained by contacting: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5268.

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 January 14, 2011, the Department of Environmental Protection, received a petition for the City of Hollywood seeking a variance from Rule 62-521.400, F.A.C., to allow construction of a Class I deep injection well within 500 feet of a potable water supply well. The petition has been assigned OGC File No. 11-0179.

A copy of the Petition for Variance or Waiver may be obtained by contacting: George Heuler, Department of Environmental Protection, Underground Injection Control Program, MS 3530, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; telephone (850)245-8657. Written comments must be received by George Heuler 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 December 21, 2010, the Board of Clinical Laboratory Personnel, received a petition for Gregory J. Rawling. Petitioner is seeking a variance or waiver of subsection 64B3-8.002(2), Florida Administrative Code, which requires for an inactive status license to be changed to active status, the licensee shall be requested to provide copies of all continuing education hours. Petitioner is also seeking a variance or waiver of subsection 64B3-11.001(3), Florida Administrative Code, which requires that the licensee retain the original continuing education certificates of attendance from approved providers for a minimum of four years. Petitioner is also seeking a variance or waiver of subsection 64B3-11.003(5), Florida Administrative Code, which requires that each participant shall be provided with an authenticated certificate or letter of attendance which shall include the participant's name, license number, course title, number of contact hours earned by specialty area, dates of attendance, program provider's name, approval number, and the signature of the provider.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

The Board of Dentistry hereby gives notice that it has received a petition, filed on February 8, 2011, by Jerald V. Williams, D.M.D., seeking a waiver or variance of paragraph 64B5-2.013(1)(c), F.A.C. with respect to the following licensure requirement: that each applicant for a Florida dental license successfully complete all three examinations as provided for in Section 466.006, Florida Statutes, within a 13 month period in order to qualify for licensure.

Comments on this petition should be filed with: Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN that on February 7, 2011, the Board of Massage Therapy, received a petition for waiver or variance filed by Elaine Koelmel, seeking a waiver or variance of paragraph 64B7-32.003(1)(b), F.A.C., with respect to the Minimum requirements for Board approved Massage Schools.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, at the below address, or at telephone number (850)245-4161. The Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256.

Notice is hereby given that on February 7, 2011, the Board of Medicine issued an order. The Petition for Waiver and/or Variance was filed by Nelida Papadimitriou, on August 29, 2010, seeking a waiver or variance from Rule 64B8-53.002, F.A.C., with regard to the 200 hours of clinical training required to obtain licensure as an electrologist. The Notice was published in Vol. 36, No. 39, of the Florida Administrative Weekly, on October 1, 2010. The Board, at its meeting held by telephone conference call on November 3, 2010, voted to grant the Petitioner's request for waiver or variance finding that the Petitioner demonstrated a substantial hardship and met the purpose of the underlying statute, and that application of the rule would violate the principles of fairness.

The Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

NOTICE IS HEREBY GIVEN that on February 8, 2011, the Department of Health, received a petition for variance from Richard H. Bachelder, representing Advanced Drainage Systems, Inc., and Hancor, Inc. Specifically, the petitioner seeks a variance from subsection 64E-6.009(7), Florida Administrative Code, which requires that after innovative system testing is completed, requests for alternative system

component and design approval shall include empirical data showing results of innovative system testing in the state of Florida.

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 32399-1703.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on January 20, 2011, the Department of Children and Families, received a petition for waiver of paragraph 65C-33.003(2)(b), Florida Administrative Code, from Citrus County Sheriff's Office, assigned Case No. 11-003W. Paragraph 65C-33.003(2)(b), F.A.C. requires pre-service classroom instruction involves the delivery and facilitation of approved, mandatory child welfare/child protection curricula by a least one Certified Child Welfare Trainer in the classroom at all times with the exception of interns. However, a training entity or employing agency may arrange for non-employed individuals to participate in pre-service classroom instruction, but these individuals shall not be administered the waiver test, pre-test, or post-test.

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

NOTICE IS HEREBY GIVEN that on January 28, 2011, the Department of Children and Families, received a petition for waiver of paragraph 65C-13.030(4)(f), Florida Administrative Code, from Richard & Melissa Collins, assigned Case No. 11-004W. Paragraph 65C-13.030(4)(f), F.A.C. requires child care for children in the custody of the department shall be with a licensed or registered child care provider. The cost of the child care shall be assumed by the licensed out-of-home caregiver to the extent that subsidized child care is unavailable. A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that on February 1, 2011, the Department of Financial Services, received a petition for Variance or Waiver from Petitioner, Tony Sanchez. The Petition has been assigned the number 114956. Petitioner seeks a variance of subsection 69B-211.042(9), Florida Administrative Code, which provides for additional waiting periods for multiple felony crimes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Regina Keenan, Senior Attorney, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4236.

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

State Board of Administration
Financial Services Commission
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue
Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection

DATE AND TIME: March 9, 2011, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular scheduled meeting of the Governor and Cabinet.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative

supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or