

threat to a child including abuse or neglect and which could or does result in death or serious harm to the health, safety or well-being of a child.

2. through 4. No change.

(2) No change.

Rulemaking Authority 402.305,402.310 FS. Law Implemented 402.305, 402.310 FS. History--New 5-1-08, Amended 1-13-10,_____.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on June 10, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On June 3, 2011, the Criminal Justice Standards and Training Commission, received a petition for an emergency permanent waiver of paragraph 11B-27.00213(4)(b), F.A.C., by the Florida Department of Corrections on behalf of 190 officers. paragraph 11B-27.00213(4)(b), F.A.C., requires officers on a Temporary Employment Authorization to have a four year break in service if they separate from employment while in good standing. Notice of receipt of the petition was published in the Sun Sentinel on June 9, 2011, and on the FDLE website.

On June 10, 2011, at an emergency meeting held telephonically, 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. The Petitioner's TEA officers had, in fact, complied with all aspects of paragraph 11B-27.00213(4)(b), F.A.C. and Section 943.131(1), F.S. The TEA officers were involuntarily separated from employment with the Petitioner while in good standing because of the Petitioner's budgetary issues. The Commission found that the purposes of the underlying statute, Section 943.131(1), F.S., to ensure that TEA officers do not voluntarily separate from TEA employment while in good standing merely to pursue a more attractive TEA elsewhere, will be met by granting this waiver request. The Commission granted the Petitioner's waiver permanently for the June 3, 2011, separation. The TEA officers may obtain another TEA without waiting four years from June 3, 2011.

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.

WATER MANAGEMENT DISTRICTS

The South Florida Water Management District (District) Governing Board hereby gives notice on June 9, 2011, SFWMD Order No. 2011-081-DAO-ROW was issued to Comcast (Application No. 11-0131-1). The petition for waiver was received by the District on April 13, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 17, on April 29, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow an existing, self-supporting concrete pole encroaching 7.5 feet to remain within the south right of way of the North New River Canal located immediately upstream of District Water Control Struction G-53 to remain; Section 14, Township 50 South, Range 41 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the existing pole will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268 or by email at: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice:

The District's Governing Board, on June 9, 2011, issued SFWMD Order No. 2011-082-DAO-ROW to Miami-Dade County Park and Recreation Dept. (Application No. 10-0106-1M). The petition for waiver was received by the District on July 1, 2010. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 36, No. 28, on July 17, 2011. An Amended Petition was received on April 26, 2011. Notice of receipt of an amended petition was published in the Florida Administrative Weekly, Vol. 37, No. 20, on May 20, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow for the installation signage and

access control features within the south right of way of C-1 Canal from US1 to SW 244th Street and the north right of way of C-1W Canal from US1 to north of Eureka Drive associated with the Black Creek Trail; Section (multiple), Township 56 South, Range 39 & 40 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within 40' of the top of the canal bank and within designated 100' long equipment staging areas within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the use will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Petitioner from suffering a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268 or by email at: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice on June 9, 2011, the District's Governing Board issued SFWMD Order No. 2011-083-DAO-ROW to the City of Naples (Application No. 11-00425-1). The petition for waiver was received by the District on April 25, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 19, on May 13, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow for the installation of a pump station intake and transmission main within the north right of way of the Golden Gate Main Canal at the intersection of Airport Road bridge and Golden Gate Main Canal, Naples; Section 26, Township 49 South, Range 25 East, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the use will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Petitioner from suffering a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268 or by email at: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice on June 9, 2011, the District's Governing Board issued SFWMD Order No. 2011-084-DAO-ROW to Big Cypress National Preserve (Application No. 10-0513-1). The petition for waiver was received by the District on April 27, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 19, on May 13, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow for the installation of access control features within the west right of way of the L-28 Interceptor Canal associated with recreational access facility located at I-75; Section 35 & 36, Township 49 South, Range 34 East, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6) and paragraph 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the use will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Petitioner from suffering a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone: (561)682-6268 or by email at: jurussel@sfwmd.gov.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that on June 3, 2011, the Florida Agency for Health Care Administration, received a petition for Temporary Emergency Waiver of paragraph 59A-4.1295(7)(e), F.A.C., by Plantation Nursing and Rehabilitation Center. The facility is located at 4250 N.W. 5th Street, Plantation, Florida 33317. This rule limits the number of pediatric residents in a skilled nursing facility to no more than 60 residents. The Petitioner seeks to waive this rule on a temporary emergency basis to allow for more than 60 pediatric residents in its facility. The Agency will accept written comments relating to this Petition for 5 days from the date of publication in 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: Lorraine M. Novak, Assistant General Counsel, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, FL 32308, Lorraine.Novak@ahca.myflorida.com, (850)412-3630. Comments may be sent to this address as well.

The Agency for Health Care Administration hereby gives notice of Final Order on the petition for variance or waiver filed by Orlando Women's Center, LLC on March 15, 2011 as advertised in Vol. 37, No. 14, Florida Administrative Weekly on April 8, 2011 and on the petition for variance or waiver filed by Center of Orlando for Women, LLC d/b/a Orlando Women's Center on May 9, 2011 as advertised in Vol. 37, No. 20, Florida Administrative Weekly on May 20, 2011. The following is a summary of the agency's denial of the request for a waiver or variance from the rule:

The Agency for Health Care Administration has issued a Final Order denying a waiver from subsection 59A-35.100(2), F.A.C., upon a finding that each petition was legally and factually insufficient to justify granting the Petition. Each Petition failed to demonstrate that the purpose of the underlying statute has been or will be achieved by other means. A copy of the Order or additional information may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS 3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on May 13, 2011, the Department received a Petition for an emergency variance for subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code from BLT Grill located in West Palm Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a vacant unit for use by customers only.

The Petition was published in Vol. 37, No. 21 on May 27, 2011. The Order for this Petition was signed in June 2, 2011 and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within vacant Suite D are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the

establishment clearly stating the location of the bathrooms. If the ownership of Suite D changes, a signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 8, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Pensacola Police Headquarters, filed May 16, 2011, and advertised in Vol. 37, No. 21, 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 2.18.5.1, 2.20.1 and 2.15.9 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 suspension be provided by steel wire ropes and that governor ropes be no less than 9.5 mm and from platform guards 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 2011-170).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 8, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Florida A&M University, filed May 11, 2011, and advertised in Vol. 37, No. 21, 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(u), 3.3.2, 3.11.1(a)(2) and 3.4.5(d) ASME A17.3, 1996 edition and from Rule 8.6.5.8 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 upgrading the elevators for firefighters' emergency operations, restricted door openings, emergency stop switch, platform guards, two-way communication, emergency lighting and a safety bulkhead on the bottom of the hydraulic jack until May 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 2011-166).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 8, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Main Street Center, filed May 10, 2011, and advertised in Vol. 37, No. 20, 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 3.11.1 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 emergency communication until May 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 2011-150).

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

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on June 10, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Kress Building, filed 5/18/2011, and advertised in Vol. 37, No. 22, 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 2.18.5.1, 2.20.1 and 2.15.9.2(a) 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 suspension be provided by steel wire ropes, that governor ropes be no less than 9.5 mm and the depth of the truck zone be no less than 48 inches 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 2011-172).

A copy of the Order or additional information 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 June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Pines of Boca Barwood II Condo Assoc. Petitioner seeks an emergency variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph

61C-5.001(1)(a), Florida Administrative Code 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 2011-197 & VW 2011-198).

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 June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Crosswinds Colony One Condo. Petitioner seeks an emergency 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 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 2011-199).

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 June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Mease Hospital & Clinic. 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 2011-200).

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 June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Forestbrook I Assoc. Petitioner seeks an emergency 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 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-201).

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 June 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Rivergate Tower. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.8.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that provides conforming requirements for electrical equipment and wiring 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 2011-202).

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on June 8, 2011, the Board of Hearing Aid Specialists, received a petition for waiver or variance filed by Susan Cuttler, seeking a waiver of the requirements of Rule 64B6-8.003, Florida Administrative Code. The Petitioner seeks a waiver of the requirement that the training program must be completed before the applicant may sit for the examination.

Comments on this petition should be filed with the Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3254, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Hearing Aid Specialists, at the above address or telephone (850)245-4460.

NOTICE IS HEREBY GIVEN that on June 14, 2011, the The Board of Massage Therapy, received a petition for variance or waiver, filed June 14, 2011, by Rhonda M. Goodall, seeking a waiver or variance of Rule 64B7-32.002, F.A.C. with respect to documentation of graduation from a Board approved massage school. Petitioner seeks a variance or waiver from the requirement of an official transcript documenting the applicant’s training. Comments on this petition should be filed

with: Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN that on June 13, 2011, the Board of Massage Therapy, received a petition for variance or waiver, filed June 13, 2011, by Sharalee Hoelscher, seeking a waiver or variance of Rule 64B7-28.009, F.A.C. to allow substitution of continuing education courses required for licensure renewal. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN that on May 12, 2011, the Board of Medicine, received a petition for waiver or variance filed by Surender Kurapati, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirements for submission of documentation of medical education directly from Petitioner’s medical school and Post-Graduate Training Evaluation Form from the hospital in which he did post-graduate training. 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.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on June 15, 2011, the Board of Optometry, received a petition for waiver or variance filed by Shirley R. Oga seeking a permanent waiver from Rule 64B13-4.004, F.A.C., with regard to the time frame for submission of the application for examination. Comments on this petition should be filed with the Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, Board of Optometry, at the above address, or telephone (850)245-4620.

NOTICE IS HEREBY GIVEN that on June 1, 2010, the Florida Department of Health, received a petition for Variance from subparagraph 64E-16.007(2)(a)2., paragraphs 64E-16.007(2)(e), and 64E-16.007(3)(d), Florida

Administrative Code, from Sanford A. Glazer, on behalf of Red Bag Solutions. These rules prescribe a startup procedure to be conducted on a biomedical waste treatment unit prior to placing the unit into service, a procedure for conducting routine efficacy testing, and the unit to be equipped to continuously monitor and record temperature and pressure during the entire length of each treatment cycle or use an indicator specific to temperature and pressure to ensure that the temperature and pressure have been reached. The Petitioner requests a variance from these rules to allow the Petitioner to place the biological indicators in an area different from that prescribed and to prove efficacy of sterilization without monitoring and recording pressure. Comments on this Petition should be filed with: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Gina Vallone-Hood, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277, extension 4273.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on May 31, 2011, the Department of Children and Families, received a petition for waiver of subparagraph 65C-13.030(5)(j)3., Florida Administrative Code, from Kids in Distress and Joshua Forman, assigned Case No. 11-021W. Subparagraph 65C-13.030(5)(j)3., F.A.C., which provides that a caregiver in a licensed foster home may not have a DUI-related driving offenses within the past five years.

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 May 31, 2011, the Department of Children and Families, received a petition for waiver of subsection 65C-14.055(4), Florida Administrative Code, from Manasota SOLVE maternity homes and Donna Vellenga, assigned Case No. 11-020W. Subsection 65C-14.055(4), F.A.C. requires staff of licensed child caring agencies responsible for supervision of direct care staff have a bachelor's degree in social work or a related field with two years of experience, or two years of college and four years of experience.

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

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on June 10, 2011, the Florida Housing Finance Corporation, received a petition for Waiver of Rule 67-48.027, F.A.C., which prohibits submitting an Application for Housing Credits to Florida Housing, until after tax exempt bonds have been issued to the Development. The petition is seeking a waiver of this restriction.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

The Florida Housing Finance Corporation hereby gives notice of the entry of an Order Granting a Petition for Waiver or Variance.

NAME OF THE PETITIONER: WINCHESTER GARDENS PRESERVATION, LP

DATE PETITION WAS FILED: May 19, 2011

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 9I-40.100(2)(a) and subsection (3), F.A.C., which deals with the terms and conditions of loans for HOME rental developments.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, May 12, 2011, Vol. 37, No. 21

THE DATE THE WAIVER WAS GRANTED: June 10, 2011

A copy of the Order or additional information may be obtained by contacting: Della Harrell, Corporation Clerk, telephone (850)488-4197 or e-mail to Della.Harrell@floridahousing.org. The Final Order is posted on Florida Housing's website at floridahousing.org.
