

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-16.006 RULE TITLE: Registration Requirements of Podiatric Residents

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 31, August 5, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-24.001 RULE TITLE: Initial Certification for Podiatric X-Ray Assistants

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 31, August 5, 2011 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Community Affairs hereby gives notice that on August 9, 2011, the Department has issued an order. Granting a Petition for Waiver.

NAME OF PETITIONER: City of Marianna
DATE PETITION WAS FILED: July 22, 2011
RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 9B-43.0031(29), F.A.C., provides the definition of time.

Paragraph 9B-43.0041(2)(b), F.A.C., prohibiting local government with an open subgrant from filing another application.

Paragraph 9B-43.0041(2)(d), F.A.C., states that eligible local governments with an open Economic Development subgrant shoe activities and expenditures are on schedule and on time as of the opening of the funding cycle can apply for CDBG subgrant.

REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: F.A.W., August 19, 2011, Vol. 37, No. 33.

THE DATE THE DEPARTMENT OF COMMUNITY AFFAIRS APPROVED THE VARIANCE OR WAIVER: August 9, 2011

THE GENERAL BASIS FOR THE DECISION: The wavier is based upon the substantial hardship and principles of fairness demonstrated by the fact that both the City of Marianna and its job generator performed in accordance with the terms of the CDBG agreement, only falling slightly short of maximum new jobs due to the faltering economy.

A copy of the Order or additional information may be obtained by contacting: Paula P. Ford, Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, e-mail: paula.ford@dca.state.fl.us.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation hereby gives notice that on August 15, 2011, the Department of Transportation entered an Order Denying Petition for Emergency Waiver. On July 11, 2011, William Najmark filed a petition asking for emergency waiver from the provisions of Rule 14-96.016, F.A.C., requiring the owner or authorized agent to maintain their portion of a driveway connection. Notice of the Petition for Emergency Waiver requesting the Department to repair a portion of its right of way adjacent to his property and control any flooding onto his property was published in the July 22, 2011, edition of the Florida Administrative Weekly. Petitioner’s request for an emergency waiver is denied. Petitioner’s request neither provided facts constituting an emergency, nor facts verifying that he was a person subject to regulation. Moreover, Petitioner failed to demonstrate that the purpose of the underlying statute will be or has been achieved and that application of the rule would create a substantial hardship or that principles of fairness would be violated.

A copy of the Order or additional information may be obtained by contacting: Deanna R. Hurt, Assistance General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station #58, Tallahassee, Florida 32399-0458.

WATER MANAGEMENT DISTRICTS

The South Florida Water Management District (District) hereby gives notice on August 12, 2011, the District Governing Board issued SFWMD Order No. 2011-118-DAO-ROW to Miami-Dade County Park and Recreation Department (Application No. 09-0311-5). The petition for waiver was received by the District on July 19, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 30, on July 29, 2011. No public comment was received. This Order provides a waiver of the District’s criteria to allow for proposed signage and access control features within the south right of way of the C-9 Canal from the Florida Turnpike easterly to N.E. Miami Gardens

Drive; Section multiple, Township 51 & 52 South, Range 41 & 42 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4), (6), and paragraph 40E-6.221(2)(j), Florida Administrative 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), Florida Administrative Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within 40 feet of the top of canal bank and within the District's 100 foot long equipment staging areas located at bridges and pile-supported crossings 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 proposed facilities 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, (561)682-6268 or by email: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice on August 12, 2011, the District Governing Board issued SFWMD Order No. 2011-119-DAO-ROW to Palm Beach County Department of Environmental Resource Management (Application No. 10-1229-4M). The petition for waiver was received by the District on December 29, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 4, on January 28, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow a proposed shellrock parking areas with driveway, fencing and gates within the south right of way of C-18E located immediately west of Central Boulevard, Jupiter; Section 3, Township 41 South, Range 42 East, Palm Beach County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Florida Administrative 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), Florida Administrative Code, which prohibits the use of motor vehicles, parking, and the placement of above-ground permanent and/or semi-permanent encroachments within the District's 100 foot long equipment staging areas located at bridges and pile-supported crossings 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 proposed facilities 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, (561)682-6268 or by email: jurussel@sfwmd.gov.

The South Florida Water Management District (District) hereby gives notice on August 12, 2011, the District Governing Board issued SFWMD Order No. 2011-120-DAO-ROW to the City of Oakland Park (Application No. 10-0709-4). The petition for waiver was received by the District on June 24, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 27, on July 8, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow for proposed installation of guardrail associated with a linear park along the C-13 Canal; Section 20, Township 49 South, Range 42 East, Miami-Dade County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Florida Administrative 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), Florida Administrative Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within 40 feet of the top of canal bank 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 proposed facilities 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, (561)682-6268 or by email: jurussel@sfwmd.gov.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that on August 3, 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: 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, FL 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on August 9, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for FAU Football Stadium. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of coated steel belts 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 2011-265).

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 August 9, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for FAU Innovation Village Apts. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.1, 2.20.9 and 2.24.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of coated steel belts 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 2011-264).

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 August 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Mease Countryside. Petitioner seeks a 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 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-263).

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 August 10, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Norton Park Place. Petitioner seeks a 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 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-266).

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 August 12, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Silver Sands Bldg. B. Petitioner seeks a variance of the requirements of ASME A17.1, Section 8.7.3.31.8(c), as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires confirmation to 3.27 when an alteration is made to firefighters' emergency operation 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 2011-267).

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 August 12, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Ten Con Beach 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 2011-268).

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 August 15, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Community United Methodist Church. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.1(a)(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 two way communication 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 2011-269).

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

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on July 21, 2011, the Department received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Ben & Jerrys, Orlando, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

The Petition for this variance was published in Vol. 37, No. 31 on August 5, 2011. The Order for this Petition was signed on August 11, 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 wastewater holding tanks for the handwash and three-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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.

NOTICE IS HEREBY GIVEN that on August 5, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Dr. Smoothie located in Pensacola, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

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.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on July 7, 2011, the Department received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Four Points by Sheraton Punta Gorda Harborside – The Tiki, Punta Gorda, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and dump sinks.

The Petition for this variance was published in Vol. 37, No. 29 on July 22, 2011. The Order for this Petition was signed on August 10, 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 wastewater holding tanks for the handwash and three-compartment dump sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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 Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on July 25, 2011, the Department received a Petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from JetBlue Park Cloverleaf, Fort

Myers, FL. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize dishwashing facilities located within another licensed establishment under the same ownership.

The Petition for this variance was published in Vol. 37, No. 31 on August 5, 2011. The Order for this Petition was signed on August 11, 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 dishwashing area located within the JetBlue Park Concession 1 (NOST4606477) is maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the owner of JetBlue Park Concession 1 (NOST4606477) changes, the division must be notified immediately and a written agreement provided.

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 Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on July 26, 2011, the Department received a Petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Naples Beach Club Beach Grill, Naples, FL. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize dishwashing facilities located within another licensed establishment located on the same premise under the same ownership.

The Petition for this variance was published in Vol. 37, No. 31 on August 5, 2011. The Order for this Petition was signed on August 11, 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 dishwashing area located within the Everglades Dining (SEA2102450) is maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the owner of Everglades Dining (SEA2102450) changes, the division must be notified immediately and a written agreement provided.

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 Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on July 22, 2011, the Department received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Whiskey Blue Portable Bar, Ft. Lauderdale, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and collect wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

The Petition for this variance was published in Vol. 37, No. 31 on August 5, 2011. The Order for this Petition was signed on August 11, 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 wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The Petitioner shall also ensure that the operation of the portable bar is confined to the hotel premises only.

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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that on August 5, 2011, the Florida Department of Environmental Protection, received a petition for variance from College Avenue MRF in Davie, Florida, pursuant to Section 120.542, F.S. The Petitioner seeks a variance from paragraph 62-701.710(7)(a), F.A.C., which requires submittal of proof of financial assurance for a waste processing facility as part of the permit application, and proposes that such proof should be deferred until the facility is actually built. Any interested person or other agency may submit written comments on the petition with 14 days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Tedder, Program Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.tedder@dep.state.fl.us, (850)245-8735.

NOTICE IS HEREBY GIVEN that on August 16, 2011, the Florida Department of Environmental Protection, received a petition for variance from J.B. Coxwell Contracting, Inc., Duval County, Florida. The Petitioner requests a variance from paragraph 62-701.710(7)(a), F.A.C., which requires that waste processing facilities provide proof of financial assurance for closure, and proposes that such proof should be deferred until the facility is actually built. Any interested person or other agency may submit written comments on the petition with 14 days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Tedder, Program Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.tedder@dep.state.fl.us, (850)245-8735.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on July 27, 2011, the Board of Massage Therapy, received a petition for a waiver or variance filed by At Peace Media, seeking a waiver or variance of paragraph 64B7-28.009(3)(a), F.A.C. with respect to the 12 continuing education hours via live classroom instruction which includes hands-on instruction or demonstration.

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 August 12, 2011, the Board of Massage Therapy, received a petition for a waiver or variance filed by David Flecha, seeking a waiver or variance of Rule 64B7-28.010, F.A.C. with respect to earning credit for self-study. Petitioner seeks a variance or waiver from the requirement of the licensee's recertification needs for the year 2011-2012.

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 August 16, 2011, the Board of Medicine, received a petition for waiver or variance filed on behalf of Sрни Govindan, M.D., from subsection 64B8-2.001(2), F.A.C., with regard to the passing score on the FLEX examination. Comments on this petition should be filed with: 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 August 9, 2011, the Board of Medicine, received a petition for waiver filed by Dariush Vaziri, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. 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 August 4, 2011, the Department of Health, received a petition for waiver from Donald Bach, representing Norweco, Inc. Specifically, the petitioner seeks a waiver from paragraphs 64E-6.013(2)(a) and (2)(f), Florida Administrative Code, which require that treatment receptacles shall have no vertical seams and that the inlet and outlet devices shall be in accordance with ASTM C 923-98.

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.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN that on August 15, 2011, the Florida Office of Financial Regulation, received a petition for Mr. Mickey P. McLellan.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mary Howell, Agency Clerk, Office of Financial Regulation, 200 East Gaines Street, The Fletcher Building, Suite 526 Tallahassee, Florida 32399-0379, (850)410-9889.

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

Division of Bond Finance

Financial Services Commission:

Office of Insurance Regulation

Office of Financial Regulation

Agency for Enterprise Information Technology

Department of Veterans' Affairs

Department of Highway Safety and Motor Vehicles

Department of Law Enforcement

Department of Revenue

Administration Commission

Florida Land and Water Adjudicatory Commission

Board of Trustees of the Internal Improvement Trust Fund

Department of Environmental Protection

DATE AND TIME: September 20, 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 to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

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; reports 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 of the **Office of Insurance Regulation** 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 matters related to rulemaking for all activities of the **Office of Financial Regulation** relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The **Agency for Enterprise Information Technology** will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

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, administrative procedure matters, and consideration of other matters within its authority.

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 various statutes including Chapters 110, 215 and 216, F.S.