

Appeals filed through the Department web site as provided in Rule 73B-21.002, F.A.C., shall be considered to have been filed on the date the confirmation number is issued.

(3)(4) Upon receipt of an appeal delivered in person or by facsimile transmission will be date stamped by a the Commission or Department of Economic Opportunity, or Office of Appeals employee on the date hand delivered or the date placed on the document by the Department or Commission fax system shall record the date of receipt on the appeal document. The Internet filing system shall post on the appeal the date the confirmation number is issued and the appeal was successfully received by the system.

Rulemaking Specific Authority 443.012(11), 443.151(4)(b), (d) FS. Law Implemented 443.151(4)(b), (d) FS. History—New 5-22-80, Formerly 38E-2.03, Amended 8-20-86, 1-5-93, 8-7-01, Formerly 38E-2.003, 60BB-6.003, Amended _____.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on September 11, 2012, the South Florida Water Management District (District), received a petition for waiver from Martha Rodriguez Garrido for a Right of Way Occupancy Permit, Application No.: 12-0829-2M, for utilization of Works or Lands of the District known as the C-51 Canal for existing landscaping within the south right of way located adjacent to 2613 Georgia Lane, Lake Worth, Section 15, Township 44 South, Range 43 East, Palm Beach County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which prohibits the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell, (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on September 10, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Harbour Hall (Harbor), filed May 30, 2012, and advertised on June 15, 2012 in Vol. 38, No. 24, 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 2.27.3.3.7 ASME A17.1, 2005 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators for fire fighter service buttons behind a locked panel 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 2012-162).

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 September 10, 2012, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Citadel I & II, filed July 16, 2012, and advertised on August 17, 2012 in Vol. 38, No. 33, 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 subsection 61C-5.001(1), 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 2012-251).

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 September 5, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Spanish Trace Ocean Club Condominium. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.4.4, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with emergency exits 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 2012-291).

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 September 6, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Inlet Harbor Club Condominium Assn. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), 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 2012-293).

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 September 7, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Bush Science Building. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.18, and 2.20, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with suspension steel wire ropes and that governor ropes be no less than 9.5mm 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 2012-296).

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 September 7, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Millenia Mall Macy's Store. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators 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 2012-297).

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 September 10, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for San Sebastian Square 1 & 4. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.3.2, and 3.10.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators platform guards, and car-top operating devices 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 2012-298).

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 September 10, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Mirror Lake Lyceum. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.3.3, 2.1.5, 3.10.4, 3.3.2, and an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with alarm bell in cab, pit stop switch, car-top stop switch, counterweight guards, platform guards, and sump hole cover 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 2012-299).

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 September 10, 2012, the Florida 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, Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from DC Reef located in Orlando, FL. The above referenced F.A.C. addresses the requirement that each establishment have at least one service sink for the cleaning of mops or similar cleaning tools and the disposal of mop water, dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils and an area for food preparation and storage. They are

requesting to share mop sink, warewashing, food preparation and storage areas located within Discovery Cove Laguna Grill (SEA5809702).

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: Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1011, Lydia.Gonzalez@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on September 5, 2012, the The Florida 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), (6), Florida Administrative Code, from Rob's Catering located in Largo, FL. 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: Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, FL 32399-1011, Lydia.Gonzalez@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN that on September 6, 2012, the Electrical Contractors' Licensing Board, received a petition for Robert T. Malley, seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board at the above address, within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on September 7, 2012, the Electrical Contractors' Licensing Board, received a petition for Gary A. Thomas, seeking a variance or waiver of Rule 61G6-6.017, Florida Administrative Code, which requires for

the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Electrical Contractors' Licensing Board at the above address, within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that on August 23, 2012, the Department of Environmental Protection, received a petition for variance or waiver from LTA Distributors, LLC for New Life Tires and Auto Repair, located in Miami, Florida. The Petitioner requests a waiver from paragraph 62-711.500(3)(a), F.A.C., which requires that owners and operators of waste tire sites provide financial assurance in the amount of the closing cost estimate for the facility. 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, P.E., 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.

The Department of Environmental Protection hereby gives notice:

The Department issued a variance on August 31, 2012, to the Town of Palm Beach for the Okeechobee Blvd. Class III Landfill in Palm Beach County, Florida. The Petition for Variance was filed on May 10, 2012 and notice of receipt of the petition was published in the F.A.W. on June 15, 2012. The variance granted relief from paragraphs 62-701.500(7)(a), (c), (e), (f) and (g), F.A.C., which require that landfills be compacted, sloped, and covered properly. The Petitioner demonstrated that meeting these requirements for this existing facility that manages only vegetative debris would cause a substantial hardship and would not create a significant threat to public health or the environment.

A copy of the Order or additional information 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.

The Department of Environmental Protection hereby gives notice:

The Department issued a variance on August 31, 2012, to the Town of Palm Beach for the Skees Road Landfill in Palm Beach County, Florida. The Petition for Variance was filed on

May 10, 2012, and notice of receipt of the petition was published in the F.A.W. on June 15, 2012. The variance granted relief from paragraphs 62-701.500(7)(a), (c), (e) and (f), F.A.C., which require that landfills be compacted, sloped, and covered properly. The Petitioner demonstrated that meeting these requirements for this existing facility that manages only vegetative debris would cause a substantial hardship and would not create a significant threat to public health or the environment.

A copy of the Order or additional information 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 September 5, 2012, the Board of Clinical Laboratory Personnel, received a petition for Robert Justin May. Petitioner is seeking a variance or waiver of paragraph 64B3-5.003(3)(a), Option 1, Florida Administrative Code, which sets forth the education, training/experience and examination requirements for a specialty licensure as a technologist.

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.

NOTICE IS HEREBY GIVEN that on September 5, 2012, the Board of Medicine, received a petition for waiver filed on behalf of Elvira Perez, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of the AMA Physician Profile Sheet for the licensure application. 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 September 5, 2012, the Board of Podiatric Medicine, received a petition for Sean Hodson. Petitioner is seeking a variance or waiver of subsection 64B18-17.001(2), Florida Administrative Code, which requires licensees who seek to renew the active status of their licensure demonstrate that they have completed during the previous two years, at least forty (40) hours of continuing education.

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

FLORIDA HOUSING FINANCE CORPORATION

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: MLF 2, LTD

DATE PETITION WAS FILED: AUGUST 8, 2012

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Paragraph 67-48.004(14)(i), F.A.C., which precludes changes to certain sections of the 2011 Universal Application after the Application Deadline. REFERENCE TO THE PLACE AND DATE OF THE PUBLICATION OF THE NOTICE OF PETITION: Florida Administrative Weekly, August 17, 1012, Vol. 38, No. 33.

THE DATE THE BOARD OF DIRECTORS OF FLORIDA HOUSING FINANCE CORPORATION APPROVED THE VARIANCE OR WAIVER: September 7, 2012.

THE GENERAL BASIS FOR THE DECISION: The purpose of the underlying statute is to make loans to Eligible Housing Providers and Eligible Home Buyers for the construction of affordable housing. The waiver will further this purpose.

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

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Florida **Department of State** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, October 1, 2012, 10:00 a.m. (EST)

PLACE: Flagler College Auditorium, 14 Granada Street, St. Augustine, Florida 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a statewide summit for the Viva Florida 500 initiative to commemorate Florida's 500-year anniversary, or Quincentennial, of the landing of European explorer Juan Ponce de León. Leaders and partners will detail their efforts to