

**Section I**  
**Notices of Development of Proposed Rules  
 and Negotiated Rulemaking**

**NONE**

**Section II**  
**Proposed Rules**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION**

**Florida Real Estate Commission**

**RULE NO.:**                      **RULE TITLE:**  
 61J2-14.009                      Real Estate Sales Associate

**PURPOSE AND EFFECT:** The Commission proposes the rule amendment to delete reference to a rule subsection that no longer exists.

**SUMMARY:** The rule amendment will delete reference to a rule subsection that no longer exists.

**SUMMARY OF STATEMENT OF ESTIMATED  
 REGULATORY COSTS AND LEGISLATIVE  
 RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its meeting, the Commission, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 475.05 FS.

**LAW IMPLEMENTED:** 475.25(1)(k) FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF  
 THIS NOTICE, A HEARING WILL BE SCHEDULED AND  
 ANNOUNCED IN THE FAR.**

**THE PERSON TO BE CONTACTED REGARDING THE  
 PROPOSED RULE IS:** Juana Watkins, Executive Director,  
 Division of Real Estate, 400 N. Robinson Street, Suite N801,  
 Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-14.009 Real Estate Sales Associate.

Every sales associate who receives any deposit, as defined in Rule 61J2-14.008, Florida Administrative Code, shall deliver the same to the broker, or employer no later than the end of the next business day following receipt of the item to be deposited. Saturday, Sundays and legal holidays shall not be construed as business days. Receipt by a sales associate or any other representative of the brokerage firm constitutes receipt by the broker for purposes of paragraph 61J2-14.008(1)(d), Florida Administrative Code.

Rulemaking Specific Authority 475.05 FS. Law Implemented 475.25(1)(k) FS. History—New 1-1-80, Formerly 21V-14.09, Amended 7-20-93, Formerly 21V-14.009, Amended 7-5-95, 11-10-97, 2-5-04,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
 Florida Real Estate Commission

**NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE:** Florida Real Estate Commission

**DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD:** September 18, 2012

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR:** July 27, 2012

**Section III**  
**Notices of Changes, Corrections and  
 Withdrawals**

**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

**RULE NO.:**                      **RULE TITLE:**  
 IT-1.036                              Arts and Cultural Grants

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 67, April 5, 2013 issue of the Florida Administrative Register.

The Notice of Change published for Rule IT-1.001 was incorrect and it should have been published for Rule IT-1.036 and was submitted as a change to the Proposed Rule published on March 11, 2013.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NOS.:**                      **RULE TITLES:**  
 62-780.100                      Referenced Guidelines  
 62-780.150                      Applicability  
 62-780.200                      Acronyms and Definitions  
 62-780.210                      Contamination Reporting  
 62-780.220                      Notices  
 62-780.450                      Combined Document

62-780.500 Emergency Response Action or Interim Source Removal  
 62-780.550 De Minimis Discharges  
 62-780.560 Petroleum or Petroleum Product De Minimis Discharges  
 62-780.600 Site Assessment  
 62-780.650 Risk Assessment  
 62-780.680 No Further Action and No Further Action with Controls  
 62-780.690 Natural Attenuation with Monitoring  
 62-780.700 Active Remediation  
 62-780.750 Post Active Remediation Monitoring  
 62-780.790 Time Schedules  
 62-780.900 Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 36, September 7, 2012 issue of the Florida Administrative Register.

62-780.100 Referenced Guidelines.

Specific references to the guidelines listed below are made within this chapter. The guidelines are not standards as defined in Section 403.803, F.S. Use of these guidelines is not mandatory; the guidelines are included for informational purposes only.

(1) through (2) No change.

(3) Chapter 62-780, F.A.C., Contaminated Site Risk-Based Corrective Action (RBCA) Flow Process charts, dated ~~March 21, 2013~~ ~~March 9, 2012~~.

(4) through (5) No change.

~~(6) Management of Contaminated Media under RCRA, dated August 9, 2006.~~

(7) through (10) renumbered (6) through (9) No change.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.81 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81 FS. History—New 4-17-05, Amended\_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.140; 62-782.100; and 62-785.100.

62-780.150 Applicability.

(1) through (10) No change.

(11) Receipt of approval pursuant to this chapter does not relieve the PRSR from the obligation to comply with other Department rules (for example, Chapters 62-701, 62-713, and 62-730, F.A.C.) ~~refer to the contaminated media guidance referenced in subsection 62-780.100(6), F.A.C.~~ regarding disposal, relocation, or treatment of contaminated media. The PRSR is advised that other federal, state, or local laws and regulations may apply to these activities.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.81 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81 FS. History—New 4-17-05, Amended\_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.160, Formerly 17-70.004 and Formerly 17-770.160; 62-782.150; and 62-785.150.

62-780.200 Acronyms and Definitions.

All words and phrases defined in Sections 376.301 and 376.79, F.S., shall have the same meaning when used in this chapter unless specifically stated otherwise in this chapter. See Sections 376.301 and 376.79, F.S., for definitions of the following terms: “Additive effects,” “Antagonistic effects,” “Brownfield area,” “Brownfield site,” “Cleanup target level,” “Contaminant,” “Contaminated site,” “Discharge,” “Drycleaning facility,” “Drycleaning solvents,” “Hazardous substances,” “Institutional control,” “Natural attenuation,” “Person responsible for brownfield site rehabilitation,” “Petroleum,” “Petroleum product,” “Pollutants,” “Risk reduction,” “Site rehabilitation,” “Synergistic effects,” “Temporary point of compliance,” and “Wholesale supply facility.” The following words and phrases used in this chapter shall, unless the context clearly indicates otherwise, have the following meanings:

(1) through (9) No change.

(10) “Contaminated sediment” means sediment that is contaminated as determined by the concentrations of the contaminants, actual circumstances of exposure, biological diversity studies, toxicity testing, or other evidence of harmful effects, as applicable. [Refer to the sediment guidelines referenced in subsections 62-780.100(1) and ~~(6)(7)~~, F.A.C., for guidance on the evaluation of contaminant concentrations, sediment quality conditions, and testing methods.]

(11) through (31) No change.

(32) “Petroleum products’ contaminants of concern” means the contaminants listed in Table B of this chapter (tables are located at the end of Rule 62-780.900, F.A.C.), and similar chemicals found in additives, provided the contaminants are present as a result of a discharge of petroleum or petroleum products as defined in Section 376.301, F.S.

(33) through (49) No change.

(50) “Used oil” means any lubricants for use in internal combustion engines that have been refined from crude oil and, as a result of use, storage, or handling, have become unsuitable for their original purpose due to the presence of impurities or loss of properties, but that may be suitable for further use as a fuel or are economically recyclable for use as a fuel. “Used oil” shall not include any used oil that has been mixed with any material that is a hazardous waste, unless the material is a hazardous waste solely due to the characteristic of ignitability as defined in 40 CFR Part 261, Subpart C (7-1-12 Edition), hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02417>).

(51) through (54) No change.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.81 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81 FS. History—New 4-17-05, Amended\_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.200, Formerly 17-70.003 and Formerly 17-770.200; 62-782.200 and 62-785.200.

#### 62-780.210 Contamination Reporting.

(1) through (3) No change.

(4) Notwithstanding the provisions of subsections 62-780.210(1)-(3), F.A.C., nothing in this chapter herein shall be construed to negate reporting requirements under other local, state or federal laws, such as Chapter 62-150, F.A.C., Hazardous Substance Release Notification, the Emergency Planning and Community Right-To-Know Act, Title III of the Superfund Amendments and Reauthorization Act of 1986, 42 U.S.C. s. 11001, et seq. (SARA), the Florida Hazardous Materials Emergency Response and Community Right-to-Know Act of 1988, Chapter 252, Part II, F.S., and the reporting requirements for discharges of oil to navigable waters pursuant to 40 C.F.R. Parts 110 and 112.

(5) For the purposes of Rule 62-780.210, F.A.C.:

(a) No change.

(b) "Discovery" means:

1. through 3. No change.

4. Results of analytical test on a groundwater sample that exceed the CTLs referenced in Chapter 62-777, F.A.C., Table I, groundwater criteria column for the petroleum products' contaminants of concern listed in Table B of this chapter (located at the end of Section 62-780.900, F.A.C.); or

5. No change.

Rulemaking Authority 376.303, 376.3071, 376.3078 FS. Law Implemented 376.305, 376.3071, 376.30701, 376.3078 FS. History—New \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.250, Formerly 17-770.250.

#### 62-780.220 Notices.

(1) Notice of Field Activities. Within the time frames specified in Table A (located at the end of Section 62-780.900, F.A.C.) or the CAD, the PRSR, its agent, or authorized representative shall provide written notice to the Department prior to performing field activities such as interim source removal activities, installing monitoring or recovery well(s), performing sampling, installing remediation equipment, or installing an engineering control. Personnel from the Department shall be allowed the opportunity to observe these field activities and to take sub-samples. If the Department chooses to be present when field activities are being performed, the Department shall be responsible for confirming that the field activities are being performed in accordance with the schedule provided in the written notification.

(2) through (6) No change.

(7) Prior to the Department's approval of a No Further Action Proposal with institutional controls or with institutional and engineering controls, the PRSR shall provide constructive notice of the Department's intent for such approval to the local

government(s) with jurisdiction over the property(ies) subject to the institutional control, to real property owner(s) of any property subject to the institutional control, and to residents of any property subject to the institutional control. The PRSR shall provide the Department with proof of such notice that meets the requirements of subsections 62-110.106(5), (8), and (9), F.A.C., except that the notice shall be prepared and published by the PRSR within 30 days after the Department's provisional approval of the No Further Action Proposal with institutional controls. The notice shall provide the local government(s) with jurisdiction over the property(ies) subject to the institutional control, real property owner(s) of any property subject to the institutional control, and residents of any property subject to the institutional control, the opportunity to comment to the Department within 30 days after receipt of the notice of the Department's intent of approval. Where subsection 62-110.106(8), F.A.C., requires a description of the agency action proposed, the notice shall contain "to issue a Site Rehabilitation Completion Order with institutional controls for a contaminated site." Additionally, the notice of rights language shall be replaced with "Local governments, real property owner(s) of any property subject to the institutional control, and residents of any property subject to the institutional control have 30 days from publication of this notice to provide comments to the Department." The notice also shall provide the appropriate mailing address to which comments should be sent. See subsection 62-780.100(7) ~~62-780.100(8)~~, Institutional Controls Procedures Guidance, for sample notice templates.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.30702, 376.3078(4), 376.81, 403.7255 FS. Law Implemented 376.3071, 376.30701, 376.30702, 376.3078(4), 376.81, 403.7255 FS. History—New 4-17-05, Amended 12-27-07, \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.220; 62-782.220; and 62-785.220.

#### 62-780.450 Combined Document.

(1) through (3) No change.

(4) Within the time frames of Table A (located at the end of Section 62-780.900, F.A.C.) or the CAD, the PRSR shall submit an electronic or paper copy of the combined document to the Department for review, including all applicable professional certifications as required pursuant to Rule 62-780.400, F.A.C.

(5) No change.

(6) If the individual program task or combined document is incomplete in any respect, or is insufficient to satisfy the requirements of the applicable criteria of Rule 62-780.500, 62-780.600, 62-780.650, or 62-780.700, F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.450(5)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a Combined Document Addendum that addresses the deficiencies within 60 days after receipt of the notice.

Rulemaking Authority 376.3071, 376.30701, 376.3078(4), 376.81, 403.0877 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81, 403.0877 FS. History—New 4-17-05, Amended\_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-782.450; and 62-785.450.

62-780.500 Emergency Response Action or Interim Source Removal.

- (1) No change.
- (2) Free Product Removal and Disposal.

(a) The PRSR may, and for emergency response actions shall, if necessary to alleviate a threat to human health, public safety, or the environment, perform free product recovery consistent with the following requirements:

1. The PRSR shall provide to the Department a written notification in accordance with the time schedule in Table A, located at the end of Rule 62-780.900, F.A.C. (Notices for Field Activities) or the CAD that includes a description of the type and estimated volume of free product to be removed, and proposed free product recovery and disposal methods to be utilized;

- 2. through 4. No change.
- (2)(b) through (4) No change.
- (5) Soil and Sediment Removal, Treatment, and Disposal.

(a) The PRSR may, and for emergency response actions shall, excavate contaminated soil or contaminated sediment for proper treatment or proper disposal as an interim source removal activity provided the following criteria are met:

- 1. through 5. No change.

6. A determination shall be made as to whether or not the contaminated soil or sediment contains hazardous waste. If the soil or sediment is known to be contaminated by hazardous waste, listed in 40 CFR Part 261 Subpart D; (7-1-12 Edition), hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02418>), testing is not required to make the determination. If the soil or sediment is not known to be contaminated with listed hazardous waste, but is contaminated with any of the toxic constituents identified in 40 CFR 261.24**(b)**, Subpart C, adopted and incorporated by reference in subsection 62-780.200(50), F.A.C., (and the contamination does not result solely from manufactured gas plant waste), then USEPA Test Method 1311, Toxicity Characteristic Leaching Procedure (TCLP) and subsequent analysis of the leachate, shall be performed on a number of samples sufficient to determine whether or not the contaminated soil or sediment exceeds maximum concentrations for the toxicity characteristics. Pursuant to 40 CFR 261.4(b)(10), Subpart A (7-1-12 Edition), hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02419>), petroleum contaminated media and debris, associated with an underground storage tank system, that fail the test for the Toxicity Characteristic of 40 CFR 261.24, Subpart C (Hazardous Waste Codes D018 ~~through~~ and D043 only) are

solid waste, not hazardous waste. Contaminated soil associated with an underground storage tank system, which will be managed as solid waste, is not subject to the requirement that TCLP extraction and subsequent analysis of the leachate be performed. ~~[Refer to the contaminated media guidelines referenced in subsection 62-780.100(6), F.A.C., for guidance in managing soil or sediment that contains hazardous waste.];~~ and

- 7. No change.
- (5)(b) through (f) No change.

(6) Authorization or receipt of approval pursuant to Rule 62-780.500, F.A.C., does not relieve the PRSR from the obligation to comply with other Department rules (for example, Chapters 62-701 and 62-730, F.A.C.) for product recovery, product disposal, groundwater recovery, or the handling, storage, disposal, or treatment of contaminated media. ~~[Refer to the contaminated media guidelines referenced in subsection 62-780.100(6), F.A.C., for guidance on management of environmental media that contain hazardous waste.]~~ The PRSR is advised that other federal or local laws and regulations may apply to these activities.

- (7) Interim Source Removal Report.

(a) Within the time frames specified in Table A or the CAD, the PRSR shall submit an electronic or paper copy of an Interim Source Removal Report to the Department for review. If analytical results obtained pursuant to subparagraphs 62-780.500(3)(a)6., 62-780.500(5)(a)5., and 62-780.600(5)(m)3., F.A.C., as applicable, after completion of the interim source removal, demonstrate that the No Further Action criteria of subsection 62-780.680(1), F.A.C., are met, a Site Assessment Report pursuant to subsection 62-780.600(7), F.A.C., may be submitted in lieu of an Interim Source Removal Report. The Interim Source Removal Report shall contain the following information in detail, as applicable:

- 1. through 15. No change.
- (b) No change.

(8) If the Interim Source Removal Report is incomplete in any respect, or is insufficient to satisfy the criteria of paragraph 62-780.500(7)(a), F.A.C., the Department shall inform the PRSR pursuant to subparagraph 62-780.500(7)(b)2., F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of an Interim Source Removal Report Addendum that addresses the deficiencies within 60 days after receipt of the notice.

(9) If the interim source removal is performed after submittal of the Site Assessment Report, the PRSR shall submit to the Department for review an electronic or paper copy of a Site Assessment Report Addendum that updates the Site Assessment Report by summarizing the interim source removal activities and all sampling results obtained after submittal of the Site Assessment Report, and that includes a recommendation pursuant to paragraph 62-780.600(8)(b), F.A.C.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.3078(9), 376.81 FS. Law Implemented 376.3071, 376.30701, 376.30711, 376.3078(9), 376.81 FS. History—New 4-17-05, Amended\_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.300, Formerly 17-70.006 and Formerly 17-770.300; 62-782.500; and 62-785.500.

#### 62-780.550 Nonpetroleum De Minimis Discharges.

(1) For purposes of this rule section, a “nonpetroleum de minimis discharge” means a ~~A~~ discharge of pollutants or hazardous substances other than petroleum or petroleum products as defined in Section 376.301, F.S., that is removed from the soil, sediment, surface water, and groundwater to CTLs or background concentrations pursuant to subsection 62-780.680(1), F.A.C., within a period of 30 days from the discovery of the discharge ~~is considered de minimis.~~

(2) through (3) No change.

Rulemaking Authority 376.30701, 376.3078(4), 376.81 FS. Law Implemented 376.303, 376.315, 376.30701, 376.3078(4), 376.81 FS. History—New 4-17-05, Amended\_\_\_\_\_.

#### 62-780.560 Petroleum or Petroleum Product De Minimis Discharges.

(1) For purposes of this rule section, a “petroleum or petroleum product de minimis discharge” means a d~~Discharges~~ of petroleum or petroleum products of less than 25 gallons onto a pervious surface, ~~are considered de minimis discharges and are~~ Such a discharge is exempt from the notification requirements of subsection 62-780.220(1) and Rule 62-780.500, F.A.C., as long as the discharge is removed and properly treated or properly disposed, or otherwise remediated, pursuant to the applicable provisions of Rule 62-780.500, F.A.C., so that CTLs or background concentrations pursuant to subsection 62-780.680(1), F.A.C., are achieved.

(2) For purposes of this rule section, a “petroleum or petroleum product de minimis discharge” also means a d~~Discharges~~ of petroleum or petroleum products of 25 to 500 gallons onto a pervious surface that ~~is are~~ not associated with a regulated petroleum storage system and ~~has have~~ not impacted groundwater, and for which the FDEP Office of Emergency Response oversees the response actions, ~~are considered de minimis discharges~~ if at the conclusion of the emergency response action, CTLs or background concentrations pursuant to subsection 62-780.680(1), F.A.C., are achieved. These de minimis discharges shall be addressed as an interim source removal and shall be subject to the applicable requirements of Rule 62-780.500, F.A.C., including notification and reporting. If the information presented in the Interim Source Removal Report confirms that no contamination remains at the conclusion of the emergency response action, the Department will indicate in writing that information provided on a Discharge Reporting Form, incorporated in Rule 62-761.900, F.A.C. [Form Number 62-761.900(1)], or other discharge

record will no longer be tracked by the Division of Waste Management and that no other site rehabilitation requirements of this chapter are required to be followed.

Rulemaking Authority 376.303, 376.3071 FS. Law Implemented 376.303, 376.315, 376.3071 FS. History—New\_\_\_\_\_.

#### 62-780.600 Site Assessment.

(1) For all sites except brownfield sites, unless the discharge is a de minimis discharge addressed pursuant to the requirements of Rule 62-780.550 or 62-780.560, F.A.C., the PRSR shall commence a site assessment within 60 days after a discharge is discovered. For purposes of a site assessment, “commence” means that the PRSR has employed or contracted with a professional engineer or geologist to design, implement, and complete the requirements of this section, and has given the professional the authority to proceed with the required work. The PRSR shall conduct the site assessment in accordance with the requirements of this rule and the time frames of Table A, located at the end of Rule 62-780.900, F.A.C., or the CAD, if applicable. For brownfield sites, because site assessment or assessment activities may have already been completed at a brownfield site or sites within a designated brownfield area prior to the execution of a BSRA, a PRSR may choose to submit to the Department for review the associated assessment documents as its Site Assessment Report pursuant to subsection 62-780.600(8), F.A.C. If site assessment work is necessary to define the nature and extent of contamination at a brownfield site or sites within a designated brownfield area, the site assessment shall be completed in accordance with the time frames specified in the BSRA.

(2) through (3) No change.

(4) The analyses for contaminants in surface water, groundwater, soil, and sediment samples, as applicable, shall be performed using the appropriate analytical procedures referenced or listed in Chapter 62-160, F.A.C. The initial analyses of contaminants, including their reaction and degradation products, shall be based on the site history.

(a) For discharges of drycleaning solvents, analyses shall be performed for the applicable contaminants of concern listed in Table B of this chapter, located at the end of Rule 62-780.900, F.A.C.

(b) For discharges of petroleum or petroleum products, analyses shall be performed for the applicable contaminants of concern listed in Table B of this chapter, as follows:

1. If petroleum product discharges are from the Gasoline or Kerosene Analytical Groups, analyses shall be performed as described in Table C, located at the end of Rule 62-780.900, F.A.C., except that:

a. through b. No change.

2. If petroleum product discharges are from used oil, from an identified product not listed in the Gasoline or Kerosene Analytical Groups, or from a product for which the specific identity is unknown, analyses shall be performed as described in Table D, located at the end of Rule 62-780.900, F.A.C.

3. If the contamination is derived from petroleum, analyses shall be performed as described in Table E, located at the end of Rule 62-780.900, F.A.C.

(5) The site assessment shall include tasks that are necessary to achieve objectives described in subsection 62-780.600(3), F.A.C., and include the following, as applicable:

(a) through (l) No change.

(m) Sampling of monitoring wells for the appropriate laboratory analyses, with the most recent sampling of representative monitoring wells having occurred no more than 270 days prior to Site Assessment Report submittal, to determine the degree and extent of groundwater contamination and the background concentrations, if applicable, such that:

1. Drill cuttings and drilling mud generated during monitoring well installation shall be handled and disposed of in such a manner that contamination is not spread into previously uncontaminated or less contaminated media. Authorization pursuant to this rule does not relieve the PRSR from the obligation to comply with other Department rules (for example, Chapters 62-701 and 62-730, F.A.C.) for handling and disposal of contaminated media. ~~Refer to the contaminated media guidelines referenced in subsection 62-780.100(6), F.A.C., for guidance.~~ The PRSR is advised that other federal or local laws and regulations may apply; and

2. Development water and purge water shall be handled and disposed of in such a manner that contamination is not spread into previously uncontaminated or less contaminated media. Authorization pursuant to this rule does not relieve the PRSR from the obligation to comply with other Department rules (for example, Chapters 62-701 and 62-730, F.A.C.) for handling and disposal of contaminated media. ~~Refer to the contaminated media guidelines referenced in subsection 62-780.100(6), F.A.C., for guidance.~~ The PRSR is advised that other federal or local laws and regulations may apply; and

3. No change.

(5)(n) through (u) No change.

(6) No change.

(7) Within the time frames specified in Table A or the CAD, the PRSR shall submit to the Department for review an electronic or paper copy of a Site Assessment Report (that may reference previously submitted documents).

(8) through (9) No change.

(10) If the Site Assessment Report is incomplete in any respect, or is insufficient to satisfy the objectives of subsection 62-780.600(3), F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.600(9)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a Site Assessment Report Addendum that addresses the deficiencies within 60 days after receipt of the notice.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.81, 403.0877 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81, 403.0877 FS. History—New 4-17-05, Amended \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.600, Formerly 17-70.008 and Formerly 17-770.600; 62-782.600 and 62-785.600.

62-780.650 Risk Assessment.

(1) through (2) No change.

(3) Within the time frames specified in Table A, located at the end of Rule 62-780.900, F.A.C., or the CAD, the PRSR shall submit to the Department for review an electronic or paper copy of the Risk Assessment Report.

(4) through (5) No change.

(6) If the Risk Assessment Report is incomplete in any respect, or is insufficient to satisfy the objectives set forth in subsection 62-780.650(4), F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.650(5)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a Risk Assessment Report Addendum that addresses the deficiencies within 60 days after receipt of the notice.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.81, 403.061 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81, 403.021, 403.061, 403.062 FS. History—New 4-17-05, Amended \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.650; 62-782.650; and 62-785.650.

62-780.680 No Further Action and No Further Action with Controls.

(1) Risk Management Options Level I – A No Further Action without institutional controls or without institutional and engineering controls shall apply if the following conditions are met:

(a) through (b) No change.

(c) Contaminated groundwater is not present, as demonstrated by the analyses of groundwater samples collected from representative sampling locations (unless the Department has concurred that groundwater sampling is unnecessary based on the site-specific conditions), that show that criteria 1. and 2. are met:

1. Groundwater contaminant concentrations do not exceed the less stringent of:

a. The groundwater CTLs specified in Chapter 62-777, F.A.C., Table I groundwater criteria column, except that for brownfields, groundwater contaminant concentrations may exceed the groundwater CTLs derived from nuisance, organoleptic, or aesthetic considerations if the following additional criteria are met:

(I) Concentrations of contaminants meet all applicable health-based groundwater CTLs provided in Chapter 62-777, F.A.C., Table I groundwater criteria column, and Chapter 62-780, F.A.C., Table F, located at the end of Rule 62-780.900, F.A.C., and if applicable, surface water CTLs pursuant to paragraph 62-780.680(1)(d), F.A.C.;

(II) through (IV) No change.

b. through c. No change.

2. No change.

(d) through (e) No change.

(2) through (3) No change.

(4) Unless the No Further Action Proposal is included in a Site Assessment Report pursuant to subparagraph 62-780.600(8)(b)1., F.A.C., or a Risk Assessment Report pursuant to paragraph 62-780.650(4)(a), F.A.C., or a Site Rehabilitation Completion Report pursuant to subsection 62-780.690(10) or 62-780.750(6), F.A.C., the PRSR shall submit to the Department for review an electronic or paper copy of the No Further Action Proposal when the criteria for No Further Action have been met. The No Further Action Proposal shall include the tables required pursuant to subparagraph 62-780.600(8)(a)27., F.A.C., updated as applicable. Prior to approval of a No Further Action Proposal with an institutional control or an engineering control accompanied by an institutional control, documentation of the agreement with the real property owner(s) of all properties subject to the institutional or engineering controls shall be submitted to the Department.

(5) No change.

(6) If the No Further Action Proposal is incomplete in any respect, or is insufficient to satisfy the objectives of subsection 62-780.680(1), 62-780.680(2), or 62-780.680(3), F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.680(5)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a revised No Further Action Proposal that addresses the deficiencies within 30 days after receipt of the notice. If the deficiencies are not timely corrected, or cannot be corrected, the PRSR shall submit to the Department for review, as appropriate, an electronic or paper copy of a Natural Attenuation Monitoring Plan pursuant to Rule 62-780.690, F.A.C., or an electronic or paper copy of a Remedial Action Plan pursuant to Rule 62-780.700, F.A.C., within 60 days after receipt of the notice.

(7) through (9) No change.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.81, 403.061, 403.0877 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81, 403.061, 403.0877 FS. History—New 4-17-05, Amended \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.680; 62-782.680; and 62-785.680.

62-780.690 Natural Attenuation Monitoring.

(1) through (3) No change.

(4) If the criteria of subsection 62-780.690(1), F.A.C., are met, a Natural Attenuation Monitoring Plan, prepared pursuant to subsection 62-780.690(8), F.A.C., may be submitted. Unless the Natural Attenuation Monitoring Plan is included in a Site Assessment Report pursuant to subparagraph 62-780.600(8)(b)2., F.A.C., or in a Risk Assessment Report pursuant to paragraph 62-780.650(4)(b), F.A.C., the PRSR shall submit to the Department for review an electronic or paper copy of the Natural Attenuation Monitoring Plan.

(5) No change.

(6) If the Natural Attenuation Monitoring Plan is incomplete in any respect, or is insufficient to satisfy the criteria of subsection 62-780.690(1), F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.690(5)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a revised Natural Attenuation Monitoring Plan that addresses the deficiencies within 30 days after receipt of the notice. If the deficiencies are not timely corrected, or cannot be corrected, the PRSR shall, as appropriate, continue the implementation of the approved Remedial Action Plan or submit to the Department for review an electronic or paper copy of a Remedial Action Plan pursuant to Rule 62-780.700, F.A.C., within 60 days after receipt of the notice.

(7) No change.

(8) The monitoring program shall be performed as specified in the Natural Attenuation Monitoring Plan approval, as follows:

(a) through (c) No change.

(d) Within the time frames specified in Table A, located at the end of Rule 62-780.900, F.A.C., or the CAD, the PRSR shall submit to the Department for review an electronic or paper copy of a Natural Attenuation Monitoring Report. The report shall include the analytical results (laboratory report), chain of custody record form [Form 62-780.900(2) or an equivalent chain of custody form that includes all the items required by Form 62-780.900(2)], the tables required pursuant to subparagraph 62-780.600(8)(a)27., F.A.C., updated as applicable, site maps that illustrate the analytical results, and the water-level elevation information (summary table and flow map);

(e) through (g) No change.

(9) No change.

(10) When Natural Attenuation Monitoring is considered complete pursuant to paragraph 62-780.690(8)(g), F.A.C., within the time frames specified in Table A or the CAD, the PRSR shall submit to the Department for review an electronic or paper copy of a Site Rehabilitation Completion Report with a No Further Action Proposal. The Site Rehabilitation Completion Report shall include the documentation required in paragraph 62-780.690(8)(d), F.A.C., to support the opinion that site cleanup objectives have been achieved.

(11) No change.

(12) If the Site Rehabilitation Completion Report is incomplete in any respect, or is insufficient to satisfy the objectives of subsection 62-780.690(10), F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.690(11)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a revised Site Rehabilitation Completion Report that addresses the deficiencies within 30 days after receipt of the notice. If the deficiencies are not timely corrected, or cannot be corrected, the PRSR shall resume the implementation of the approved Natural Attenuation Monitoring Plan within 30 days after receipt of the notice.

(13) through (14) No change.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.81, 403.061, 403.0877 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81, 403.0877 FS. History—New 4-17-05, Amended \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.690; 62-782.690; and 62-785.690.

#### 62-780.700 Active Remediation.

(1) If the conditions at a site do not satisfy the No Further Action criteria of Rule 62-780.680, F.A.C., or the Natural Attenuation Monitoring criteria of Rule 62-780.690, F.A.C., within the time frames specified in Table A, located at the end of Rule 62-780.900, F.A.C., or the CAD, the PRSR shall prepare and submit to the Department for review an electronic or paper copy of a Remedial Action Plan. The Remedial Action Plan shall be prepared pursuant to this rule and shall contain all of the information required herein. The objective of the active remediation shall be to meet the applicable No Further Action criteria of Rule 62-780.680, F.A.C., or the Natural Attenuation Monitoring criteria of Rule 62-780.690, F.A.C. The Remedial Action Plan shall provide a design that addresses cleanup of all contaminated soil, sediment, groundwater, or surface water as a result of the discharge for which the PRSR is conducting site rehabilitation. Additionally, if the Remedial Action Plan addresses contamination that has migrated into any medium beyond the boundary of the source property (i.e., the location from which the contamination is emanating), then the point of compliance may be temporarily extended beyond the property boundary with appropriate monitoring, if such extension is needed to address the current conditions of the plume, provided human health, public safety, and the environment are protected. If the point of compliance is proposed to be temporarily extended beyond the property boundary, it cannot be extended further than the lateral extent of the plume at the time of execution of a CAD, if known, or the lateral extent of the plume as defined at the time of the approved site assessment. Prior to the Department authorizing a temporary extension of the point of compliance beyond the property boundary, the PRSR shall provide notice and an opportunity to comment pursuant to subsection 62-780.220(3), F.A.C.

(2) Prior to performing any pilot study, within the time frames specified in Table A or the CAD, the PRSR shall submit to the Department for review an electronic or paper copy of a Pilot Study Work Plan to determine the need for any applicable Department permits or authorizations (for example, underground injection control, National Pollutant Discharge Elimination System, or air emissions), and to ensure that human health and the environment are adequately protected. The Department shall:

(a) through (b) No change.

(3) through (7) No change.

(8) If the Remedial Action Plan is incomplete in any respect, or is insufficient to satisfy the objectives of subsection 62-780.700(3), F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.700(7)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a Remedial Action Plan Addendum that addresses the deficiencies within 60 days after receipt of the notice.

(9) No change.

(10) Within the time frames specified in Table A or the CAD, an electronic or paper copy of engineering drawings (As-Built Drawings) for installed mechanical remediation systems and associated structures (e.g., slurry wall, permeable reactive barrier) shall be submitted by the PRSR to the Department. The engineering drawings shall include all construction and equipment design specifications of the installed active remediation system(s) and any operational parameters different from those in the approved Remedial Action Plan. A summary of the system(s) startup activities shall be attached to the engineering drawings. For other types of remedial action including episodic treatment with mobile equipment, injection of chemical or biological remediation products, or contaminated soil excavation, revised site figures shall be provided indicating placement of remediation wells, injection wells, or boundaries of excavation.

(11) No change.

(12) During implementation of the Remedial Action Plan, within the time frames specified in Table A or the CAD the PRSR shall submit to the Department for review an electronic or paper copy of status reports of remedial action. The Remedial Action Status Report shall contain the following, as applicable:

(a) through (f) No change.

(13) through (15) No change.

(16) If the proposal is incomplete in any respect, or is insufficient to satisfy the applicable requirements of subsection 62-780.700(14), F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.700(15)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a revised Natural Attenuation Monitoring Plan or other proposal pursuant to paragraphs 62-780.700(14)(a)-(c), F.A.C., that addresses the deficiencies, within 60 days after receipt of the notice. If the deficiencies are



not timely corrected, or cannot be corrected, the PRSR shall continue the implementation of the approved Remedial Action Plan within 30 days after receipt of the notice.

(17) No change.

(18) For sites conducting active groundwater remediation, if the site does not meet the No Further Action criteria of subsection 62-780.680(1), F.A.C., or the Natural Attenuation Monitoring criteria of Rule 62-780.690, F.A.C., the PRSR may submit to the Department for review an electronic or paper copy of a proposal to discontinue active groundwater remediation, provided the following demonstration and analyses are met:

(a) through (c) No change.

(19) If a demonstration pursuant to subsection 62-780.700(18), F.A.C., was completed, the PRSR shall compile the results of the demonstration and analyses described in paragraphs 62-780.700(18)(a)-(c), F.A.C., in a report and shall submit an electronic or paper copy of the report to the Department for review within the time frames of Table A or the CAD. The Department shall determine, using the criteria specified in paragraph 62-780.700(18)(c), F.A.C., whether modifications to the Remedial Action Plan are required pursuant to subsection 62-780.700(14), F.A.C., to effect further treatment; however, if alternative methods are not required, active remediation shall be deemed complete.

(20) When the No Further Action criteria of subsection 62-780.680(1), F.A.C., or the leveling off criteria of subsection 62-780.700(18), F.A.C., have been met, an electronic or paper copy of a Post Active Remediation Monitoring Plan prepared pursuant to the Post Active Remediation Monitoring criteria described in Rule 62-780.750, F.A.C., shall be submitted by the PRSR to the Department for review (unless the Department has concurred that Post Active Remediation Monitoring of groundwater is unnecessary based on the site-specific conditions). If the Department agrees that groundwater sampling is unnecessary and the site meets the No Further Action criteria of subsection 62-780.680(1), F.A.C., a Site Rehabilitation Completion Order shall be issued as referenced in subsection 62-780.680(7), F.A.C.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.81, 403.0877 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81, 403.0877 FS. History—New 4-17-05, Amended \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.700, Formerly 17-70.010 and Formerly 17-770.700; 62-782.700; and 62-785.700.

62-780.750 Post Active Remediation Monitoring.

(1) Groundwater monitoring shall be performed following the completion of active groundwater remediation or soil remediation as described in Rule 62-780.700, F.A.C., unless the Department has concurred that groundwater sampling is

unnecessary based on the site-specific conditions. When active groundwater remediation has met the No Further Action criteria of subsection 62-780.680(1), F.A.C., or the leveling off criteria of subsection 62-780.700(18), F.A.C., an electronic or paper copy of a Post Active Remediation Monitoring Plan prepared pursuant to the provisions of subsection 62-780.750(4), F.A.C., and including analytical results demonstrating this conclusion, shall be submitted by the PRSR to the Department for review.

(2) No change.

(3) If the Post Active Remediation Monitoring Plan is incomplete in any respect, or is insufficient to satisfy the objectives of subsection 62-780.750(1), F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.750(2)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a revised Post Active Remediation Monitoring Plan that addresses the deficiencies within 30 days after receipt of the notice. If the deficiencies are not timely corrected, or cannot be corrected, the PRSR shall resume the implementation of the approved Remedial Action Plan within 30 days after receipt of the notice.

(4) The monitoring program shall be performed as specified in the Post Active Remediation Monitoring Plan approval, as follows:

(a) through (c) No change.

(d) Within the time frames specified in Table A, located at the end of Section 62-780.900, F.A.C., or the CAD, the PRSR shall submit to the Department for review an electronic or paper copy of a Post Active Remediation Monitoring Report. The report shall include the analytical results (laboratory report), chain of custody record form [Form 62-780.900(2) or an equivalent chain of custody form that includes all the items required by Form 62-780.900(2)], the tables required pursuant to subparagraph 62-780.600(8)(a)27., F.A.C., updated as applicable, site maps that illustrate the analytical results, and the water-level elevation information (summary table and flow map);

(e) through (f) No change.

(5) No change.

(6) When post active remediation monitoring is considered complete pursuant to paragraph 62-780.750(4)(f), F.A.C., within the time frames specified in Table A or the CAD, the PRSR shall submit to the Department for review an electronic or paper copy of a Site Rehabilitation Completion Report with a No Further Action Proposal. The Site Rehabilitation Completion Report shall include the documentation required in paragraph 62-780.750(4)(d), F.A.C., to support the opinion that site cleanup objectives have been achieved.

(7) No change.

(8) If the Site Rehabilitation Completion Report is incomplete in any respect, or is insufficient to satisfy the objectives of subsection 62-780.750(6), F.A.C., the Department shall inform the PRSR pursuant to paragraph 62-780.750(7)(b), F.A.C., and the PRSR shall submit to the Department for review an electronic or paper copy of a revised Site Rehabilitation Completion Report that addresses the deficiencies within 30 days after receipt of the notice. If the deficiencies are not timely corrected, or cannot be corrected, the PRSR shall resume the implementation of the approved Post Active Remediation Monitoring Plan within 30 days after receipt of the notice.

(9) through (10) No change.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4), 376.81, 403.061, 403.0877 FS. Law Implemented 376.3071, 376.30701, 376.3078(4), 376.81, 403.0877 FS. History—New 4-17-05, Amended \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.750; 62-782.750; and 62-785.750.

62-780.790 Time Schedules.

(1) through (5) No change.

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.3078(4) FS. Law Implemented 376.303, 376.3071, 376.30701, 376.30711, 376.3078(4) FS. History—New 4-17-05, Amended \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.800, Formerly 17-70.013 and Formerly 17-770.800; and 62-782.790.

62-780.900 Forms.

The forms used by the Department in its Contaminated Site Cleanup Criteria programs are adopted and incorporated by reference in Rules 62-780.220 and .300, F.A.C. ~~this rule~~. Each form is listed by subsection number, which is also the form number, and with the subject, title, and effective date. Forms may be obtained from the Division of Waste Management website at [www.dep.state.fl.us/waste](http://www.dep.state.fl.us/waste).

(1) Form 62-780.900(1), Initial Notice of Contamination Beyond Property Boundaries (effective date \_\_\_\_\_).

(2) Form 62-780.900(2) , Chain of Custody Record (effective date \_\_\_\_\_).

Rulemaking Authority 376.303, 376.3071, 376.30701, 376.30702, 376.3078(4), 376.81 FS. Law Implemented 376.3071, 376.30701, 376.30702, 376.3078(4), 376.81 FS. History—New 4-17-05, Amended 12-27-07, \_\_\_\_\_.

Editorial Note: Portions of this rule were copied from 62-770.900, Formerly 17-770.900; 62-782.900; and 62-785.900.

TABLE A  
 Submittals and Time Frames for PRSR  
 (Unless superseded by a CAD)

Type of Report or Activity	PRSR Action or Submittal Time Frames
Notice of Initiation of Emergency Response Action or Interim Source Removal Action <u>per Rule 62-780.500, F.A.C.</u>	Within 24 hours of initiation of the action
Interim Source Removal Proposal	When seeking approval before implementation of an alternative product recovery method, groundwater recovery, soil treatment or disposal technique (Rule 62-780.500, F.A.C.)
Interim Source Removal Status Report	Within 60 days of initiating interim source removal activities and every 60 days thereafter or when the field activity is terminated, whichever occurs first
Interim Source Removal Report	Within 60 days of completion of interim source removal activities
Site Assessment Commenced	Within 60 days after a discharge is discovered
Site Assessment Report (SAR)	SAR submitted within 270 days of discharge or discovery
Risk Assessment Report (RAR)	Optional (within 60 days of SAR approval or within the schedule approved in the Risk Assessment Work Plan)
Well Survey and Sampling Results pursuant to paragraph 62-780.600(3)(h), F.A.C.	Within 60 days of discovery of contamination beyond the property boundaries
No Further Action (NFA) Proposal	When the site meets the criteria for NFA (Rule 62-780.680, F.A.C.)
Natural Attenuation Monitoring (NAM) Plan	When the site meets the criteria for NAM (Rule 62-780.690, F.A.C.)
Natural Attenuation Monitoring (NAM) Report	Within 60 days of sample collection
Remedial Action Plan (RAP)	Within 90 days of approval of a SAR or RAR
As-Built Drawings	Within 120 days of initiating operation of active remediation system
Initiate Operation of Active Remediation System	Within 120 days of RAP approval
Remedial Action Status Report	Within 60 days of the anniversary date of initiating operation of active remediation system
Proposal submitted pursuant to subsection 62-780.700(14), F.A.C.	Optional during active remediation
Post Active Remediation Monitoring (PARM) Plan	When the site meets the criteria for NFA (Rule 62-780.680, F.A.C.) or Leveling Off (subsection 62-780.700(18), F.A.C.)
Post Active Remediation Monitoring (PARM) Report	Within 60 days of sample collection
Leveling Off Determination	Within 60 days of sample collection
Post Active Remediation Monitoring Plan resampling proposal (paragraph 62-780.750(4)(e), F.A.C.)	Within 60 days of sample collection
Site Rehabilitation Completion Report (SRCR)	Within 60 days of the final sampling event. If SRCR is not approved then submit modifications, etc. within 60 days of Department's response
Pilot Study Work Plan	When seeking approval before implementation of a Pilot Study pursuant to subsection 62-780.700(2), F.A.C.
Combined Document (optional submittal)	Submitted within 270 days of discharge or discovery
Notices for Field Activities (except for Initiation of Emergency Response Action, De Minimis Discharges or Interim Source Removal Action)	Notice to the Department within seven days but not less than 24 hours prior to performing field activity
Submittal to the Department of addenda, responses, or modification to plans or reports, pursuant to Rule 62-780.790, F.A.C.	Within 60 days of receipt of the Department's response
Submittal of Form and Actual Notice required in subsection 62-780.220(2), F.A.C.	See text of rule for "Initial Notice of Contamination Beyond Property Boundaries" in subsection 62-780.220(2), F.A.C.
Submittal of Actual or Constructive Notices required in subsection 62-780.220(3), F.A.C.	See text of rule for "Subsequent Notice of Contamination Beyond Source Property Boundaries for Establishment of a Temporary Point of Compliance (TPOC)" in subsection 62-780.220(3), F.A.C.

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-13.004: Continuing Education

NOTICE OF WITHDRAWAL OF PETITION FOR  
WAIVER/VARIANCE

The Board of Chiropractic Medicine hereby gives notice that the petition filed by Lyle Grenz, on February 18, 2013, seeking a variance or waiver from subsection 64B2-13.004(1), Florida Administrative Code, has been withdrawn. The Notice of Petition published in Vol. 39, No. 36, of the February 21, 2013, issue of the Florida Administrative Register.

The person to be contacted regarding this petition is Bill Miller, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-3.003: Licensure by Endorsement

NOTICE IS HEREBY GIVEN that on April 2, 2013, the Board of Physical Therapy Practice, received a petition for variance or waiver of Rule 64B17-3.003, F.A.C., filed by Peter J. Wilde, which requires that an applicant demonstrating that he or she meets the requirements of Rule 64B17-3.001, F.A.C., may be licensed to practice physical therapy by endorsement by presenting evidence satisfactory to the Board that the applicant has active licensure in another jurisdiction and has passed an examination before a similar, lawful, authorized examining board in physical therapy in such other jurisdiction if their standards for licensure are as high as those maintained in Florida.

Comments on this petition should be filed with the Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, at the above address or telephone (850)245-4373, ext. 3480.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-3.001: Licensure as a Physical Therapist by Examination

NOTICE IS HEREBY GIVEN that on April 2, 2013, the Board of Physical Therapy Practice, received a petition for a variance or waiver of Rule 64B17-3.001, F.A.C., filed by Hireen Patel, which requires for foreign graduates to have received a determination that the credentials are equivalent to education required for licensure as a physical therapist in the United States as determined by the Foreign Credentialing Commission on Physical Therapy.

Comments on this petition should be filed with the Board of Physical Therapy Practice at the above address within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Section VI  
Notices of Meetings, Workshops and Public  
Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: April 18, 2013, 5:15 p.m.

PLACE: Mission San Luis, 2100 W Tennessee St, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FOMSL Finance and Investment Committee will meet to review current financials, review the endowment fund report and develop a strategy for determining the best investment approach for the endowment.

A copy of the agenda may be obtained by contacting: cookie.stevens@dos.myflorida.com; (850)245-6388.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 18, 2013, 4:00 p.m.  
 PLACE: Florida Agriculture Center & Horse Park Authority,  
 11008 S. Highway 475, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 This will be a meeting of the Executive Committee to discuss  
 general board business.

A copy of the agenda may be obtained by contacting: Shawn  
 Doherty, Executive Director at (352)307-6699 or email at  
 execdir@FLHorsePark.com.

Pursuant to the provisions of the Americans with Disabilities  
 Act, any person requiring special accommodations to  
 participate in this workshop/meeting is asked to advise the  
 agency at least 2 days before the workshop/meeting by  
 contacting: Shawn Doherty, Executive Director at  
 (352)307-6699 or email at execdir@FLHorsePark.com. If you  
 are hearing or speech impaired, please contact the agency using  
 the Florida Relay Service, 1(800)955-8771 (TDD) or  
 1(800)955-8770 (Voice).

#### DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a public  
 meeting to which all persons are invited.

DATE AND TIME: May 20, 2013, 4:30 p.m. – 6:30 p.m.

PLACE: The Shores Resort and Spa, 2637 South Atlantic  
 Avenue, Daytona Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Florida Rehabilitation Council New Member Orientation

A copy of the agenda may be obtained by contacting: Roy  
 Cosgrove at (850)245-3317 or Roy.Cosgrove@vr.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities  
 Act, any person requiring special accommodations to  
 participate in this workshop/meeting is asked to advise the  
 agency at least 7 days before the workshop/meeting by  
 contacting: Roy Cosgrove at (850)245-3317 or  
 Roy.Cosgrove@vr.fldoe.org. If you are hearing or speech  
 impaired, please contact the agency using the Florida Relay  
 Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove at  
 (850)245-3317 or Roy.Cosgrove@vr.fldoe.org.

#### DEPARTMENT OF EDUCATION

State Board of Education

The State Board of Education announces a public meeting to  
 which all persons are invited.

DATE AND TIME: April 16, 2013, 9:00 a.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street,  
 Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The  
 meeting agenda will consist of approval of minutes of the State  
 Board meeting held March 19, 2013, and updates on various  
 reports and status of education initiatives by the  
 Commissioner. Items for consideration include action relating  
 to the following: Amendment to Rule 6A-1.09981,

Implementation of Florida's System of School Improvement  
 and Accountability; Amendment to Rule 6A-4.0021, Florida  
 Teacher Certification Examinations; Amendment to Rule  
 6A-6.054, K-12 Student Reading Intervention Requirements;  
 and Amendment to Rule 6A-6.0571, Career and Technical  
 Education and Adult General Education Standards and  
 Industry-Driven Benchmarks. Other items for consideration  
 include: Request for Approval of Baccalaureate Proposal by  
 Santa Fe College for a BAS in Industrial Biotechnology;  
 Adoption of a Resolution of the State Board of Education  
 Requesting the Issuance and Sale of Not Exceeding  
 \$350,000,000 State of Florida, Full Faith and Credit, State  
 Board of Education Public Education Capital Outlay  
 Refunding Bonds, 2013 (Series to be Determined); Charter  
 School Appeals: Pivot Charter School vs. School Board of  
 Palm Beach County; Florida High School for Accelerated  
 Learning West Palm Beach Campus, Inc., On behalf of School  
 II vs. School Board of Palm Beach County; Florida High  
 School for Accelerated Learning West Palm Beach Campus,  
 Inc., On behalf of School III vs. School Board of Palm Beach  
 County; Florida Futures Academy, West Palm Beach Campus  
 vs. School Board of Palm Beach County; and Florida Futures  
 Academy, Riviera Beach Campus vs. School Board of Palm  
 Beach County.

A copy of the agenda may be obtained by contacting: Lynn  
 Abbott at (850)245-9661 or lynn.abbott@fldoe.org or by  
 visiting the Department's website at: <http://www.fldoe.org>.

Pursuant to the provisions of the Americans with Disabilities  
 Act, any person requiring special accommodations to  
 participate in this workshop/meeting is asked to advise the  
 agency at least 7 days before the workshop/meeting by  
 contacting: Lynn Abbott at (850)245-9661 or  
 lynn.abbott@fldoe.org. If you are hearing or speech impaired,  
 please contact the agency using the Florida Relay Service,  
 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott at  
 (850)245-9661 or lynn.abbott@fldoe.org.

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a  
 public meeting to which all persons are invited.

DATE AND TIME: April 16, 2013; 9:30 a.m. – 11:30 a.m.

PLACE: Okeechobee Service Center, 3800 NW 16th  
 Boulevard, Suite A, Okeechobee, FL 34972

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
 Announcing the First Technical Meeting for the Basin  
 Management Action Plan (BMAP) for Lake Okeechobee.  
 Topics will include a discussion of the BMAP boundary and an  
 overview of select priority sub basins. The BMAP is the means  
 for implementation of the adopted Total Maximum Daily  
 Loads (TMDLs).

A copy of the agenda may be obtained by contacting: Beth Alvi, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail Elizabeth.Alvi@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Beth Alvi at (850)245-8559. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: April 18, 2013, 9:30 a.m.

PLACE: Woodville Community Center, Live Oak Room, 8000 Old Woodville Road, Tallahassee, Florida, 32305

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a public meeting to discuss technical issues related to the initiation of the Upper Wakulla River and Wakulla Springs Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be the BMAP development process.

A copy of the agenda may be obtained by contacting: Mr. Stephen Cioccia, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, or by e-mail at stephen.cioccia@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Steve Cioccia at (850)245-8513. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

#### FISH AND WILDLIFE CONSERVATION COMMISSION

##### Marine Fisheries

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: April 22, 2013, 6:00 p.m. – 8:00 p.m. and April 24, 2013, 6:00 p.m. – 8:00 p.m.

PLACE: Webinar: <http://fwc.adobeconnect.com/mfm/>; Voice-only access – Contact Melissa.Recks@MyFWC.com or (850)617-9630.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Fish and Wildlife Conservation Commission (Commission) will be holding two webinars to gather public

testimony regarding the proposed reorganization, standardization and cleanup of the Commission's marine fisheries regulations. The proposed changes would reformat and standardize 20 of the current species chapters in 68B, FAC, and move current gear descriptions into the already existing Gear Definitions rule in 68B-4, FAC. The proposal also includes a new suite of general definitions and regulations that would apply to all saltwater fishing. The proposed general definitions for terms commonly used in marine fisheries regulations would be standardized and applied broadly. Other measures that could apply to all saltwater fishing include creation of a temporary possession allowance for weighing, measuring, and photographing fish; a requirement that all finfish and other regulated marine organisms being harvested be returned to the water immediately, following capture or after being temporarily possessed as described above; a clarification of the fishing license requirements; a prohibition on the retention of both a recreational and commercial bag limit for any single species on the same fishing trip; a prohibition on the possession, transport, sale, or purchase of illegally-caught marine species; a prohibition on the placement of traps in established navigational channels; and a provision that holds vessel operators responsible for any fishery violation that occurs on the vessel. PLEASE NOTE: Each webinar will cover the same topic; participants only need to attend one.

A copy of the agenda may be obtained by contacting: Jessica McCawley, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jessica McCawley, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554.

#### NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center (NSRC) Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 18, 2013, 1:30 p.m. – 3:30 p.m.

PLACE: Department of Business and Professional Regulation, Professions Board Room, 1940 N. Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Voting for Board of Trustees æ Vice Chair, Voting for Operational Committee Chair, Approvals for Efficiencies and

Spending Plan, VNX Upgrade, Avamar expansion, Mainframe storage expansion, Pitney Bowes contract amendment and Mid-year Rates Change.

A copy of the agenda may be obtained by contacting: Jane.Geier@nsrc.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: (850)487-9442. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jane.Geier@myflorida.com, (850)487-9442.

#### PARRISH MEDICAL CENTER

The Board of Directors of the North Brevard County Hospital District, operating as Parrish Medical Center announces a hearing to which all persons are invited.

DATE AND TIME: May 6, 2013, 2:00 p.m.

PLACE: Parrish Medical Center, 951 N. Washington Avenue, Titusville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: to comply with Section 155.40, Florida Statutes, as amended by Chapter 2012-66, Laws of Florida, to determine whether the North Brevard County Hospital District should continue to own and operate its hospital, or whether the hospital should be operated by a for-profit or a not-for-profit entity. The Board will review an independent valuation conducted by Complex Property Advisors Corporation, and an independent operational and quality comparison conducted by Cleverley + Associates. All materials will be publicly available and the Board will hear public comments prior to making its decision.

A copy of the agenda may be obtained by contacting: carolyn.moyes@parrishmed.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: carolyn.moyes@parrishmed.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: carolyn.moyes@parrishmed.com.

#### BABCOCK RANCH INC.

The Babcock Ranch Inc. Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 9, 2013, 3:30 p.m.

To participate in this teleconference:

- Dial In for Public: 1(720)399-1558 (not toll-free)
- When prompted, the caller will enter the following Participant ID number: 564803#. After entering the ID number, callers will be joined to the teleconference.

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will continue discussion on matters including, but not limited to, the Management Agreement, Business Plan, transition planning, audit, re-appointments, budget and funding, website development, etc. The public is welcome to listen in, but the Board may not take public testimony and/or comments during this call.

For more information, you may contact: Debbie Upp at [execassistant@archbold-station.org](mailto:execassistant@archbold-station.org) or (863)465-2571, x251.

## Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Roberto C. Blanch, Esq., In Re: Turnberry Village Master Association, Inc., Docket No. 2013001883 on January 14, 2013. The following is a summary of the agency's disposition of the petition:

Turnberry Village Master Association is a condominium association as defined in Section 718.103(2), Florida Statutes. The Division declines to issue a statement regarding how directors of the master association must be elected under its bylaws, because it is outside the scope of this proceeding.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Robin McDaniel, Division Clerk, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares,

and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1424, robin.mcdaniel@myfloridalicense.com.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

DEPARTMENT OF EDUCATION  
School Districts  
Investment Advisory Services

**PUBLIC NOTICE  
RFP # R137128JM**

**INVESTMENT ADVISORY SERVICES**

Tuesday, April 23, 2013 at 2:00 p.m. local time

Sealed proposals for INVESTMENT ADVISORY SERVICES will be received from eligible proposers at the School District of Lee County (hereinafter "The District"), Department of Procurement Services, 2855 Colonial Blvd, Fort Myers, FL 33966, until Tuesday, April 23, 2013 at 2:00 p.m. local time. The District is seeking qualified, responsive, responsible Proposer(s) to act as the Investment Advisor(s) for the District. The District anticipates the District's investment strategies will be in the following categories:

Interested parties must register with the Department of Procurement Services by contacting Procurement Agent Joe Marody at AlbertJM@LeeSchools.net and provide the responding proposer name, primary point of contact for this RFP, phone number, and e-mail address.

Bid specifications are available at: <http://procurement.leeschools.net/bids.htm>.

**Section XII  
Miscellaneous**

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Palm Beach Car & Truck Brokers, Inc., d/b/a Dream Machines USA, for the establishment of ENFI line-make

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorworks Ltd. Inc., intends to allow the establishment of Palm Beach Car and Truck Brokers, Inc., d/b/a Dream Machines USA as a dealership for the sale of motorcycles manufactured by Royal Enfield Motors, Ltd. (line-make ENFI) at 570 South Dixie Highway, Lantana, (Palm Beach County), Florida 33462, on or after May 9, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Palm Beach Car and Truck Brokers, Inc., d/b/a Dream Machines USA are dealer operator(s): Timo Pajamaki, 511 North 5th Street, Lantana, Florida 33462; principal investor(s): Timo Pajamaki, 511 North 5th Street, Lantana, Florida 33462.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.



Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Kevin Mahoney, Classic Motorworks Ltd. Inc., 1405 Cannon Circle, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

##### Division of Motor Vehicles

Power and Play Warehouse, Inc., for the establishment of SANY line-make

##### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Alliance-Sym, Inc., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (line-make SANY) at 550 North Flagler Avenue, Pompano Beach, (Broward County), Florida 33060, on or after May 9, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Power And Play Warehouse, Inc., are dealer operator(s): Tom McMahan, 550 North Flagler Avenue, Pompano, Florida 33060; principal investor(s): Tom McMahan, 550 North Flagler Avenue, Pompano, Florida 33060.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Gene Chang, Alliance-Sym, Inc., 3788 Milliken Avenue, Suite C, Mira Loma, California 91752.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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#### DEPARTMENT OF HEALTH

##### Emergency Action

On April 5, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certificate of Shane M. Braslow, PMD, Certificate # PMD 522035. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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#### DEPARTMENT OF HEALTH

##### Board of Nursing

##### Emergency Action

On April 5, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Keri Dedra Dellinger, RN, License # RN 9236218. This Emergency Suspension Order was predicated upon the State Surgeon

General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Emergency Action

On April 5, 2013, the State Surgeon General, issued an Order Vacating Order of Emergency Suspension of License with regard to the license of Julie A. Smith, PS, License # 22736. The Department orders that the Emergency Suspension of License be vacated.

DEPARTMENT OF FINANCIAL SERVICES

FSC – Financial Institution Regulation

Financial Institutions

NOTICE OF FILINGS

Financial Services Commission

Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions

specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile

OR

By Hand Delivery

Agency Clerk

Agency Clerk

Office of Financial Regulation

Office of Financial

P.O. Box 8050

Regulation

Tallahassee, Florida 32314-8050

The Fletcher Building,

Phone (850) 410-9800

Suite 118

Fax: (850) 410-9548

101 East Gaines Street

Tallahassee, Florida

32399-0379

Phone: (850) 410-9643

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., April 29, 2013):

APPLICATION TO MERGE

Constituent Institutions: 1st United Bank, Boca Raton, Florida

and Enterprise Bank of Florida, North Palm Beach, Florida

Resulting Institution: 1st United Bank

With Title: 1st United Bank

Received: April 4, 2013

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN April 1, 2013  
 and April 5, 2013

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

5J-12.001	4/4/13	4/24/13	39/18	
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**DEPARTMENT OF EDUCATION**

**State Board of Education**

6A-14.0411	4/3/13	4/23/13	39/36	
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**DEPARTMENT OF CORRECTIONS**

33-602.203	4/2/13	4/22/13	39/41	
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

61C-5.006	4/1/13	4/21/13	39/37	
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**Barbers' Board**

61G3-16.0092	4/5/13	4/25/2013	39/17	
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**Florida Building Commission**

61G20-1.001	4/5/13	4/25/2013	39/07	
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61G20-1.002	4/5/13	4/25/2013	38/83	
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61G20-4.001	4/5/13	4/25/2013	38/66	
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61G20-4.002	4/5/13	4/25/2013	38/66	
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-710.201	4/3/13	4/23/13	39/07	
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62-710.210	4/3/13	4/23/13	39/07	
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62-710.401	4/3/13	4/23/13	39/07	
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62-710.500	4/3/13	4/23/13	39/07	
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62-710.510	4/3/13	4/23/13	39/07	
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62-710.600	4/3/13	4/23/13	39/07	
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62-710.800	4/3/13	4/23/13	39/07	
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62-710.850	4/3/13	4/23/13	39/07	
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62-710.901	4/3/13	4/23/13	39/07	
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62-730.020	4/3/13	4/23/13	39/07	
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62-730.021	4/3/13	4/23/13	39/07	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-730.030	4/3/13	4/23/13	39/07	
62-730.150	4/3/13	4/23/13	39/07	
62-730.160	4/3/13	4/23/13	39/07	
62-730.161	4/3/13	4/23/13	39/07	
62-730.170	4/3/13	4/23/13	39/07	
62-730.171	4/3/13	4/23/13	39/07	
62-730.180	4/3/13	4/23/13	39/07	
62-730.181	4/3/13	4/23/13	39/07	
62-730.186	4/3/13	4/23/13	39/07	
62-730.210	4/3/13	4/23/13	39/07	
62-730.220	4/3/13	4/23/13	39/07	
62-730.225	4/3/13	4/23/13	39/07	
62-730.226	4/3/13	4/23/13	39/07	
62-730.240	4/3/13	4/23/13	39/07	
62-730.250	4/3/13	4/23/13	39/07	
62-730.290	4/3/13	4/23/13	39/07	
62-730.291	4/3/13	4/23/13	39/07	
62-730.292	4/3/13	4/23/13	39/07	
62-730.320	4/3/13	4/23/13	39/07	
62-730.900	4/3/13	4/23/13	39/07	

**DEPARTMENT OF HEALTH**

**Board of Nursing**

64B9-5.013	4/1/13	4/21/13	39/41	
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**Board of Pharmacy**

64B16-28.108	4/2/13	4/22/13	38/46	
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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

68D-24.018	4/2/13	4/22/13	39/41	
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68D-24.143	4/2/13	4/22/13	39/41	
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**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

69K-1.005	4/2/13	4/22/13	39/21	
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**NOTICE OF CORRECTION**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

61G14-19.001	3/27/13	7/1/13	39/36	
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LIST OF RULES AWAITING LEGISLATIVE APPROVAL  
PURSUANT TO (CHAPTER 2010-279, LAWS OF  
FLORIDA)

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-304.300	3/2/12	*****	38/3	
62-304.330(10),(11)	2/7/13	*****	38/81	
62-304.520(15)-(20)	3/20/13	*****	39/32	
62-304.610	8/20/12	*****	35/31	38/23
62-304.645	3/8/13	*****	39/22	
62-304.900	11/21/12	*****	38/39	

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers' Compensation**

69L-7.020	10/24/11	*****	37/24	37/3
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