Section I
Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF LEGAL AFFAIRS

RULE NO.: RULE TITLE:
2-6.003 Claims

PURPOSE AND EFFECT: To incorporate amended form and clarify availability of form used to submit state institution claims

SUBJECT AREA TO BE ADDRESSED: amended claim form.

RULEMAKING AUTHORITY: 402.181(2) FS.

LAW IMPLEMENTED: 402.181 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Michelle Crum, Chief of Victim Compensation, Department of Legal Affairs, PL- 01, The Capitol, Tallahassee, FL 32399-1050

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

2-6.003 Claims.

Application procedures for claims made under Section 402.181, F.S., are provided on form BVC402SI (07/2013), entitled "State Institution Claims Program Form" effective July 01, 2013. The form is available at http://myfloridalegal.com under the Programs heading and is incorporated into this rule by reference.

Rulemaking Authority 402.181(2) FS. Law Implemented 402.181 FS. History–New 10-13-73, Amended 6-16-80, 12-11-80, 3-11-82, Formerly 2-6.03, Amended 1-8-96, 6-19-96,_____.

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: RULE TITLE:
2A-8.005 Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: The proposed rule amendments are intended to reflect changes to benefits with regard to the recent changes in the Consumer Price Index

SUBJECT AREA TO BE ADDRESSED: Benefits to be paid beginning July 1, 2013.

RULEMAKING AUTHORITY: 112.19 FS.

LAW IMPLEMENTED: 112.19 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Nuss, Chief, Bureau of Criminal Justice Programs, Department of Legal Affairs, PL-01, The Capitol, Tallahassee, Florida 32399-1050

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: RULE TITLE:
6E-1.0032 Fair Consumer Practices

PURPOSE AND EFFECT: The purpose and effect is to consider amendments to the standards for advertising

SUBJECT AREA TO BE ADDRESSED: Fair consumer practices for an institution

RULEMAKING AUTHORITY: 1005.22, 1005.34 FS.

LAW IMPLEMENTED: 1005.04, 1005.22, 1005.31, 1005.32, 1005.34 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 13, 2013, 1:00 p.m.

PLACE: Orlando Marriott – Lake Mary, 1501 International Parkway, Lake Mary, Florida 32746

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Samuel L. Ferguson

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.: RULE TITLE:
6E-2.004 Standards and Procedures for Licensure

PURPOSE AND EFFECT: The purpose and effect is to consider amendments in four areas. First, to consider amendments to Form 804, entitled, Placement and Retention Reporting for Institutionally Accredited Institutions-Programmatic Reporting, such as including a comment field or another mechanism, for institutions to provide information when the placement or retention rates do not meet the accrediting entity's standards and to request the submission of improvement plans. Secondly, to consider amendments to Form 604, entitled, Selected Financial Data, including modifying the signature requirements. Thirdly, the purpose and effect is to consider requiring a form to document any clinical experience, internship, externship, or practicum and the elements of any such form. Fourthly, the purpose and effect is to consider amendments for institutions offering programs at the college or university level.

SUBJECT AREA TO BE ADDRESSED: Standards for Licensure.

RULEMAKING AUTHORITY: 1005.22(1)(e); 1005.31(2), (3), 1005.34, 1005.39 FS.

LAW IMPLEMENTED: 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 13, 2013, 1:00 p.m.

PLACE: Orlando Marriott – Lake Mary, 1501 International Parkway, Lake Mary, Florida 32746

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Samuel L. Ferguson

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE NO.:	RULE TITLE:
6E-4.005	Student Protection Fund; Trainout Procedures for Closure

PURPOSE AND EFFECT: The purpose and effect is to consider amendments to the process and documentation for an institution when it ceases operation in Florida.

SUBJECT AREA TO BE ADDRESSED: The closure of an institution.

RULEMAKING AUTHORITY: 1005.37 FS.

LAW IMPLEMENTED: 1005.35, 1005.36, 1005.37 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 13, 2013, 1:00 p.m. at Orlando Marriott – Lake Mary

PLACE: Orlando Marriott - Lake Mary, 1501 International Parkway, Lake Mary, Florida 32746

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Samuel L. Ferguson, Executive Director

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NOS.:	RULE TITLES:
61K1-4.014	Records
61K1-4.019	Boxing Bandages; Handwraps; Gloves
61K1-4.023	Kickboxing Bandages and Handwraps; Gloves
61K1-4.025	Mixed Martial Arts Conduct of Bout; Rounds

PURPOSE AND EFFECT: The purpose and effect of the rule development is to develop language regarding hand wrappings for amateur boxing and kickboxing matches, conduct of bout during mixed martial arts matches, and records relating to fouls during mixed martial arts matches.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is hand wrappings for amateur boxing and kickboxing matches, conduct of bout during mixed martial arts matches, and records relating to fouls during mixed martial arts matches.

RULEMAKING AUTHORITY: 548.003(2)(k) FS.

LAW IMPLEMENTED: 548.003, 548.004, 548.0065, 548.007, 548.011, 548.043, 548.057 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 17, 2013, 10:00 a.m.

PLACE: Telephone conference. Conference call number is 1.888.670.3525. The Pass Code: 3051490078 then #.

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 3 days before the workshop/meeting by contacting: R. Kathleen Brown-Blake, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244. 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: R. Kathleen Brown-Blake, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II
Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: RULE TITLE:
61G5-20.002 Salon Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify and update infection control language to more current standards.

SUMMARY: The rule amendment will clarify and update infection control language to more current standards.

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 Board meeting, the Board, 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: 477.016, 477.025(2) FS.

LAW IMPLEMENTED: 477.025 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-20.002 Salon Requirements.

(1) through (2) No change.

(3) Each salon shall comply with the following:

(a) through (c) No change.

(d) Disinfectants ~~Sanitizers~~: All salons shall be equipped with and utilize disinfecting solutions ~~wet sanitizers~~ with hospital level disinfectant or EPA approved disinfectant, sufficient to allow for disinfecting practices.

1. through 4. No change.

(e) through (g) No change.

Rulemaking ~~Specific~~ Authority 477.016, 477.025(2) FS. Law Implemented 477.025 FS. History–New 4-22-81, Amended 9-11-81, 1-17-83, 8-10-83, 6-28-84, 10-6-85, Formerly 21F-20.02, Amended 6-18-86, 10-18-87, 8-20-90, 5-19-91, 1-30-92, 5-11-92, 4-15-93, 5-31-93, Formerly 21F-20.002, Amended 1-9-95, 4-5-95, 8-8-95, 2-28-96, 6-16-97, 8-27-98, 4-13-99, 8-1-05, 9-6-06, 2-25-07, 3-10-08, 4-3-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Cosmetology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Cosmetology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 5, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: RULE TITLE:
61G18-16.002 Continuing Education Requirements for Active Status License Renewal

PURPOSE AND EFFECT: Limits the number of alternative credit hours that can be counted toward continuing education credit.

SUMMARY: Clarifies what can be counted toward continuing education credits.

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 Board meeting, the Board, 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: 474.206, 474.211, 474.212 FS.

LAW IMPLEMENTED: 474.211 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: Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-16.002 Continuing Education Requirements for Active Status License Renewal.

(1) No change.

(2) Licensed veterinarians shall complete a minimum of thirty (30) hours of continuing professional education in veterinary medicine every biennium. Beginning on June 1, 2012, no less than one (1) hour of continuing education shall be in the area of dispensing legend drugs and no less than two (2) hours of continuing education shall be in the area of the laws and rules governing the practice of veterinary medicine. For the purposes of this rule, the laws and rules governing the practice of veterinary medicine are Chapters 455 and 474, F.S. and Rule Chapter 61G18, F.A.C.

(a) through (c) No change.

(d) Not more than five (5) hours in complementary and alternative medicine modalities shall be credited toward the required number of continuing professional education hours referenced above.

(3) through (6) No change.

Rulemaking Authority 474.206, 474.211, 474.212 FS. Law Implemented 474.211 FS. History–New 11-14-79, Amended 11-1-81, Formerly 21X-16.02, Amended 4-20-88, 11-2-88, 3-26-90, Formerly 21X-16.002, Amended 8-18-94, 2-6-95, 3-20-95, 9-24-96, 11-28-96, 12-30-97, 5-22-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 5, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 4, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.:	RULE TITLE:
61J1-9.002	Standards of Professional Practice for Appraisal Management companies; Development and Communications of Real Estate Appraisals

PURPOSE AND EFFECT: The Board proposes to promulgate and adopt the new rule to clarify procedures for the standards of professional practice for appraisal management companies.

SUMMARY: The rule promulgation and adoption clarify procedures for the standards of professional practice for appraisal management companies.

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 Board meeting, the Board, 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: 475.614, 475.6235 FS.

LAW IMPLEMENTED: 475.614, 475.6235 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, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-9.002 Standards of Professional Practice for Appraisal Management Companies; Development and Communications of Real Estate Appraisals.

(1) Upon issuance of a registration number by the Department, an appraisal management company shall disclose its issued registration number on each solicitation for engagement and each engagement letter utilized in assigning an appraisal request for real estate appraisal assignments in Florida.

(2) An appraisal management company shall verify that an appraiser being added to its appraiser panel to appraise properties in Florida holds a license in good standing in Florida. The appraisal management company shall verify the status of the appraiser by contacting the Department or utilizing the National Registry of the Appraisal Subcommittee.

(3) Before or at the time an appraiser accepts an assignment, the appraisal management company shall require the appraiser to declare in writing or via electronic means that the appraiser receiving the assignment is a competent appraiser for the performance of the appraisal being assigned.

(4) An appraisal management company must include instructions to appraisers in letters of engagement to decline the assignment in the event the appraiser is not geographically competent or the assignment falls outside the appraiser's scope of practice restrictions.

(5) An appraisal management company cannot:

(a) Require that an appraiser prepare an appraisal if the appraiser, in the appraiser's own independent professional judgment believes that she or he does not have the necessary expertise for the assignment or for the specific geographic area and has notified the appraisal management company and declined the assignment;

(b) Require that an appraiser prepare an appraisal within a time frame that the appraiser, in the appraiser's own professional judgment believes does not afford he or she the ability to meet all the relevant legal and professional obligations, and the appraiser has notified the appraisal management company and declined the assignment; or

(c) Require that an appraiser provide the appraisal management company with the appraiser's digital signature or seal.

(6) An appraisal management company that has a reasonable basis to believe an appraiser has failed to comply with the Uniform Standards of Professional Appraisal Practice or any applicable laws or rules in connection with an appraisal, shall refer the matter to the Board if the failure to comply is likely to significantly affect the opinion of value.

(7) In complying with Section 475.629, Florida Statutes, all appropriate records may be maintained in printed electronic form. Such records shall include:

(a) For appraisals ordered, the name of the appraiser who performs the appraisal, the physical address or legal identification of the subject property, the name of the appraisal management company's client for the appraisal and the amount paid to the appraiser.

(b) Accounts, correspondence, memoranda, papers, books, and other records related to services provided by the appraisal management company.

(c) Records documenting any notices provided to appraisers removed from the appraisal management company's panel.

(8) When removing an appraiser from an appraisal management company's appraiser panel, the appraisal management company shall:

(a) Document the appraisal report or communication, appraisal review report or communication, or consulting assignment report or communication, supporting such action, if applicable;

(b) Document the provision of the appraiser with prior written notice as to the reasons for the appraiser's removal, in compliance with Section 475.6245(1)(s)8., Florida Statutes; and

(c) Provide the appraiser the opportunity to respond to such notice prior to removal.

(9) Each solicitation for engagement by an appraisal management company for an appraiser's services must include the following items:

(a) The name of the AMC;

(b) Appraisal management company's registration number;

(c) If the assignment is retrospective the effective date must be provided;

(d) The specific intended use;

(e) Type of value;

(f) A description of the reporting level expected;

(g) The identification of the subject to include the property address, county, property type and property rights as requested by the client;

(h) Point of contact for discussion of conditions and scope of work;

(i) Other assignment conditions;

(j) The expected delivery date; and

(k) The terms of payment to the appraiser unless otherwise in a contract.

Rulemaking Authority 475.614, 475.6235 FS. Law Implemented 475.614, 475.6235 FS History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 2, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 14, 2012

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-11.011	Provisional License; Supervision of Provisional Licensees

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised "Application for Provisional Psychology Licensure," form DH-MQA 1189 into the current rule.

SUMMARY: The amendment will incorporate the revised "Application for Provisional Psychology Licensure," form DH-MQA 1189 into the current rule.

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 Board meeting, the Board, 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: 456.013, 490.003(6), 490.004(4), 490.0051 FS.

LAW IMPLEMENTED: 456.013, 490.003(6), 490.004(4), 490.0051, 490.009 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-11.011 Provisional License; Supervision of Provisional Licensees.

All applicants applying for provisional licensure shall:

(1) Complete and submit to the Board form DH-MQA 1189, (Revised 01/13 ~~07/12~~), "Application for Provisional Psychology Licensure," which is hereby incorporated by reference, copies of which may be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-02058, the Board office, or at http://www.doh.state.fl.us/mqa/psychology.

(2) through (6) No change.

Rulemaking Authority 456.013, 490.003(6), 490.004(4), 490.0051 FS. Law Implemented 456.013, 490.003(6), 490.004(4), 490.0051, 490.009 FS. History–New 1-27-98, Amended 3-24-02, 9-8-03, 5-24-09, 3-1-10, 6-18-12, 12-25-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 5, 2013

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-11.012	Application Forms

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised "Application for Psychologist Licensure," form DH-MQA 1187, into the current rule.

SUMMARY: The amendment will incorporate the revised "Application for Psychologist Licensure," form DH-MQA 1187, into the current rule.

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 Board meeting, the Board, 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: 490.004(4) FS.

LAW IMPLEMENTED: 490.005, 490.006 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-11.012 Application Forms.

(1) All applicants for licensure pursuant to Chapter 490, F.S., shall complete and submit form DH-MQA 1187, (Revised 01/13 ~~07/12~~), "Application for Psychologist Licensure," which is incorporated herein by reference and which may be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-02059, the Board office, or at http://www.doh.state.fl.us/mqa/psychology.

(2) through (4) No change.

Rulemaking Authority 490.004(4) FS. Law Implemented 490.005, 490.006(1)(b), 490.007(1) FS. History–New 6-25-02, Amended 5-24-09, 3-1-10, 5-23-10, 11-10-11, 6-18-12, 12-25-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 5, 2013

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-12.002	Application and Examination Fee for Licensure by Examination; Review Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to decrease the application fee for licensure.

SUMMARY: The amendment will decrease the application fee for licensure by examination review fee.

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 Board meeting, the Board, 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: 456.013(2), 490.004(4), 490.005(1)(a) FS.

LAW IMPLEMENTED: 456.013(2), 456.017, 490.005(1)(a) 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.002 Application and Examination Fee for Licensure by Examination; Review Fee.

(1) The application fee for licensure by examination is $250.00 ~~375.00~~.

(2) through (5) No change.

Rulemaking Authority 456.013(2), 490.004(4), 490.005(1)(a) FS. Law Implemented 456.013(2), 456.017, 490.005(1)(a) FS. History–New 2-22-82, Amended 7-2-84, Formerly 21U-12.02, Amended 11-21-88, 8-12-90, 1-16-92, Formerly 21U-12.002, Amended 10-12-93, 6-14-94, Formerly 61F13-12.002, Amended 1-7-96, 6-26-97, Formerly 59AA-12.002, Amended 12-3-98, 6-28-00, 8-8-01, 2-12-04, 10-31-05, 1-28-07, 2-18-10, 5-23-10, 4-17-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 5, 2013

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-12.004	Application Fee for Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to decrease the application fee for licensure by endorsement.

SUMMARY: The amendment will decrease the application fee for licensure by endorsement.

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 Board meeting, the Board, 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: 490.004(4) FS.

LAW IMPLEMENTED: 490.006(1) 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.004 Application Fee for Licensure by Endorsement**.**

The application fee for a psychology license by endorsement is $250.00 ~~375.00~~.

Rulemaking Authority 490.004(4) FS. Law Implemented 490.006(1) FS. History–New 2-22-82, Amended 5-12-82, Formerly 21U-12.04, Amended 8-12-90, Formerly 21U-12.004, Amended 6-14-94, Formerly 61F13-12.004, Amended 1-7-96, Formerly 59AA-12.004, Amended 6-28-00, 5-23-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 5, 2013

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-12.0041	Initial Fee for Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to decrease the initial fee for licensure.

SUMMARY: The amendment will decrease the initial fee for licensure.

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 Board meeting, the Board, 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: 456.013(2), 490.004(4) FS.

LAW IMPLEMENTED: 456.013(2), 490.005(1)(a), 490.006(1) 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.0041 Initial Fee for Licensure.

The initial fee for licensure is $<u>250.00</u> ~~300.00~~.

Rulemaking Authority 456.013(2), 490.004(4) FS. Law Implemented 456.013(2), 490.005(1)(a), 490.006(1) FS. History–New 7-7-86, Amended 6-1-89, 1-16-92, Formerly 21U-12.0041, Amended 6-14-94, Formerly 61F13-12.0041, Amended 1-7-96, Formerly 59AA-12.0041, Amended 1-25-00, 8-8-01, 4-16-02, 1-2-06, 5-23-10,<u>_____</u>.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 5, 2013

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-12.012 Fee for Provisional Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to decrease the fee for provisional licensure.

SUMMARY: The amendment will decrease the fee for provisional licensure.

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 Board meeting, the Board, 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: 456.013, 490.003(6), 490.004(4), 490.051 FS.

LAW IMPLEMENTED: 456.013, 490.013(2), 490.003(6), 490.004(4), 490.0051 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.012 Fee for Provisional Licensure**.**

The non-refundable application fee for a provisional license shall be two-hundred fifty dollars ($250.00). The initial licensure fee for a provisional license shall be <u>two-hundred fifty</u> ~~five hundred~~ dollars ($<u>250.00</u> ~~500.00~~).

Rulemaking ~~Specific~~ Authority 456.013, 490.003(6), 490.004(4), 490.0051 FS. Law Implemented 456.013, 456.013(2), 490.003(6), 490.004(4), 490.0051 FS. History–New 12-4-97, Amended 9-26-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Psychology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 5, 2013

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-5.101	Definitions
64E-5.1115	Subsurface Tracer Studies
64E-5.1317	Storage and Control of Volatiles and Gases
64E-5.1419	Radiation Surveys
64E-5.1420	Detection of Leaking or Contaminated Sources
64E-5.1501	Purpose and Scope
64E-5.1502	Transportation of Radioactive Material
64E-5.203	Radioactive Material Other Than Source Material - Exemptions
64E-5.204	Types of Licenses
64E-5.206	General Licenses - Radioactive Material Other Than Source Material
64E-5.210	Special Requirements for a Specific License to Manufacture, Assemble, Repair or Distribute Commodities, Products or Devices Which Contain Radioactive Material
64E-5.213	Specific Terms and Conditions of License
64E-5.216	Reciprocal Recognition of Licenses for Byproduct, Source, Naturally Occurring and Accelerator Produced Radioactive Material, and Special Nuclear Material in Quantities Not Sufficient to Form a Critical Mass
64E-5.304	Occupational Dose Limits for Adults
64E-5.306	Determination of External Dose from Airborne Radioactive Material
64E-5.307	Determination of Internal Exposure
64E-5.313	Compliance with Dose Limits for Individual Members of the Public
64E-5.315	Conditions Requiring Individual Monitoring of External and Internal Occupational Dose
64E-5.326	Exemptions to Labeling Requirements
64E-5.330	Discharge by Release into Sanitary Sewerage
64E-5.331	Disposal of Specific Wastes
64E-5.344	Notification of Incidents
64E-5.350	Reports of Transactions Involving Nationally Tracked Sources
64E-5.351	Nationally Tracked Source Thresholds
64E-5.6011	Definitions
64E-5.607	Authority and Responsibilities
64E-5.609	Visiting Authorized User, Visiting Authorized Medical Physicist, or Visiting RSO
64E-5.614	Possession, Use, Calibration, and Check of Dose Calibrators in the Use of Unsealed Radiopharmaceuticals
64E-5.6251	Therapy Related Computer Systems
64E-5.626	Use of Radiopharmaceuticals for Uptake, Dilution, or Excretion Studies
64E-5.627	Use of Unsealed Radiopharmaceuticals, Generators, and Reagent Kits for Imaging and Localization Studies
64E-5.629	Control of Aerosols and Gases
64E-5.630	Use of Radiopharmaceuticals for Therapy
64E-5.632	Use of Sources for Manual Brachytherapy
64E-5.633	Manual Brachytherapy Sources Inventory and Surveys
64E-5.6412	Full Calibration Measurements on Gamma Stereotactic Radiosurgery Units
64E-5.6422	Periodic Spot-Checks for Gamma Stereotactic Radiosurgery Units
64E-5.643	Radiation Surveys for Teletherapy Facilities
64E-5.645	Therapy-Related Computer Systems
64E-5.649	Training for Uptake, Dilution, or Excretion Studies
64E-5.650	Training for Imaging and Localization Studies for Which a Written Directive Is Not Required
64E-5.652	Training for Use of Manual Brachytherapy Sources
64E-5.653	Training for Ophthalmic Use of Strontium 90

64E-5.654	Training for Use of Sealed Sources for Diagnosis
64E-5.655	Training for Use of Remote Afterloader Units, Teletherapy Units, and Gamma Stereotactic Radiosurgery Units
64E-5.656	Training for and Authorized Medical Physicist
64E-5.660	Training for Use of Unsealed Radioactive Material for Which A Written Directive is Required in Rule 63E-5.626, 64E-5.627 or 64E-5.630, F.A.C.
64E-5.661	Training for the Oral Administration of Sodium Iodide I-131 Requiring A Written Directive in Quantities Less Than or Equal to 1.22 Gigabecquerels (33 Millicuries)
64E-5.662	Training for the Oral Administration of Sodium Iodide I-131 Requiring A Written Directive in Quantities Greater Than 1.22 Gigabecquerels (33 Millicuries)
64E-5.663	Training for the Parenteral Administration of Unsealed Radioactive Material Requiring a Written Directive

64E-5.810Ventilation Systems

PURPOSE AND EFFECT: The purpose of these proposed rule changes is to maintain required compatibility with the U.S. Nuclear Regulatory Commission by updating department rules for use of radioactive materials or radiation from radioactive materials. Changes will also include the use of discrete sources of radium 226, naturally occurring radioactive material or accelerator produced radioactive materials and use of radioactive materials within the State of Florida. Some of the proposed rule changes will provide exemptions for the use of radioactive materials and specify requirements for preparation and distribution of radioactive materials for medical use in humans.

SUMMARY: The substantive changes will be in providing relaxations in training and experience requirements for authorized users for human medical use and daily spot checks of gamma stereotactic radiosurgery units containing radioactive materials; provide exemptions for use of discrete sources of radium 226, naturally occurring radioactive materials or accelerator produced radioactive materials; changes to definitions; adding accelerator produced Nitrogen 13 and Oxygen 15 isotopes to the table of allowable radiation doses to occupational workers via oral and inhalation pathways, and maximum concentrations released into the environment via air, water and sewers (ALI-DAC Tables); clarifies how out of state licenses that use radioactive materials in the State of Florida may dispose of radioactive materials in the State of Florida; the preparation and distribution of radioactive materials for human medical use; require a permanent location within the State of Florida to be issued a specific radioactive materials license; and other subjects encompassed by the above-cited rules.

These rule changes will also address minor wording changes identified by the U.S. Nuclear Regulatory Commission and the department to clarify the use of radioactive materials or radiation from radioactive materials to maintain compatibility with the U.S. Nuclear Regulatory Commission.

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: The majority of the proposed changes to the regulations are to maintain required compatibility with the U.S. Nuclear Regulatory Commission regulations for the possession and use of radioactive materials and are generally revenue neutral or provide regulatory relief to licensees. Therefore this rulemaking will not have an adverse impact or regulatory costs in excess of $1 million within five years as established in s.120.541(2)(a), F.S.

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: 404.051, 404.061, 404.071, 404.081, 404.131, 404.141, 404.20 FS.

LAW IMPLEMENTED: 404.022, 404.031, 404.051, 404.061, 404.071(1), (3), 404.081(1), 404.141, 404.20(1), 404.22 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: Brenda Andrews, 4052 Bald Cypress Way, Bin C21, Tallahassee, FL 32399-1741, (850)245-4266, Brenda_Andrews@doh.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-5.101 Definitions.

As used in these rules, these terms have the definitions set forth below. Additional definitions used only in a certain part are defined in that respective part.

(1) through (9) No change.

(10) "Airborne radioactivity area" means a room, enclosure or operating area in which airborne radioactive materials exist in concentrations:

(a) In excess of the derived air concentrations (DACs) specified in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, which is herein incorporated by reference and which can be obtained from the internet at ~~is available~~ _____ or at http://www.doh.state.fl.us/environment/radiation/regs/64e-5tab.htm ~~from the Department~~, or

(b) No change.

(11) through (13) No change.

(14) "Annual limit on intake" (ALI) means the derived limit for the amount of radioactive material taken into the body of an adult worker by inhalation or ingestion in a year. ALI is the smaller value of intake of a given radionuclide in a year by Reference Man that would result in a committed effective dose equivalent of 5 rem (0.05 sievert) or a committed dose equivalent of 50 rem (0.5 sievert) to any individual organ or tissue. ALI values for intake by ingestion and by inhalation of selected radionuclides are given in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table I, Columns 1 and 2.

(15) through (20) No change.

(21) "Byproduct material" means:

(a) No change.

(b) No change.

(c)1. Any discrete source of radium-226 that is produced, extracted, or converted after extraction for use for a commercial, medical, or research activity; or

2. Any material that meets the following:

a. Has been made radioactive by use of a particle accelerator; and

b. Is produced, extracted, or converted after extraction for use for a commercial, medical, or research activity; and

(d) Any discrete source of naturally occurring radioactive material, other than source material, that meets the following:

1. The NRC, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of Homeland Security, and the head of any other appropriate Federal agency, determines would pose a threat similar to the threat posed by a discrete source of radium-226 to the public health and safety or the common defense and security; and

2. Is extracted or converted after extraction for use in a commercial, medical, or research activity.

(22) through (36) No change.

(37) "Derived air concentration" (DAC) means the concentration of a given radionuclide in air which, if breathed by Reference Man for a working year of 2,000 hours under conditions of light work, results in an intake of one ALI. For purposes of these rules, the condition of light work is an inhalation rate of 1.2 cubic meters of air per hour for 2,000 hours in a year. DAC values are given in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table I, Column 3.

(38) No change.

(39) "Dose" is a generic term that means absorbed dose, dose equivalent, effective dose equivalent, committed dose equivalent, committed effective dose equivalent, or total effective dose equivalent. For the purposes of these rules, "radiation dose" is an equivalent term.

(40) through (76) No change.

(77) "Low specific activity material (LSA)" means that as defined in 49 C.F.R. 173.403. ~~(Pursuant to Section 120.54(6), F.S., subsection 64E-5.101(79), F.A.C., is substantively identical to 49 CFR 173.403 published on 10/01/2007.).~~

(78) through (84) No change.

(85) "Medical event" means the administration of:

(a) No change.

(b) Radioactive materials or radiation from radioactive materials not requiring a written directive that result in either of the following:

1. No change.

2. A dose that exceeds 0.05 Sv (5 rem) effective dose equivalent, 0.5 Sv (50 rem) to an organ or tissue, or 0.5 Sv (50 rem) shallow dose equivalent to the skin; and

a. through c. No change.

d. An administration of a dose or dosage delivered by the wrong mode of treatment; or

e. A leaking sealed source where the patient or human research subject is contaminated~~;~~.

~~f. A dose to the skin or an organ or tissue other than the treatment site that exceeds by 0.5 Sv (50 rem) to an organ or tissue and 50 percent or more of the dose expected from the administration defined in the written directive (excluding, for permanent implants, seeds that were implanted in the correct site but migrated outside the treatment site); or~~

3.~~g.~~ Any medical use that results or will result in unintended permanent functional damage to an individual's organ or a physiological system, as determined by a physician.

(c) No change.

(86) through (95) No change.

(96) "Package" means that as defined in 49 C.F.R. 173.403 ~~(Pursuant to Section 120.54(6), F.S., subsection 64E-5.101(100), F.A.C., is substantively identical to 49 CFR 173.403 published on 10/01/2007)~~.

(97) through (117) No change.

(118) "Radiographic exposure device" means any instrument containing a sealed source, fastened or contained therein, in which the sealed source or shielding thereof may be moved, or otherwise changed from a shielded position to an unshielded position for the purpose of making a radiographic exposure. It also is known as a camera or a projector. ~~(Pursuant~~

~~to Section 120.54(6), F.S., subsection 64E-5.101(122), F.A.C., is substantively identical to 10 CFR 34.3 published on 01/01/2007.)~~

(119) through (128) No change.

(129) "Sealed source" means radioactive material that is encased in a capsule designed to prevent release or escape of the radioactive material. ~~(Pursuant to Section 120.54(6), F.S., subsection 64E-5.101(133), F.A.C., is substantively identical to 10 CFR 30.4 published on 01/01/2007.)~~

(130) through (150) No change.

(151) "Total effective dose equivalent" (TEDE) means the sum of the effective ~~deep~~ dose equivalent for external exposures and the committed effective dose equivalent for internal exposures.

(152) through (188) No change.

(189) "Nationally tracked source" means a sealed source containing a quantity equal to or greater than Category 1 or Category 2 levels of any radioactive material listed in Rule 64E-5.351, F.A.C. In this context a sealed source is defined as radioactive material that is sealed in a capsule or closely bonded, in a solid form, and which is not exempt from regulatory control. It does not mean material encapsulated solely for disposal, or nuclear material contained in any fuel assembly, subassembly, fuel rod, or fuel pellet. Category 1 nationally tracked sources are those containing radioactive material at a quantity equal to or greater than the Category 1 threshold. Category 2 nationally tracked sources are those containing radioactive material at a quantity equal to or greater than the Category 2 threshold but less than the Category 1 threshold. ~~(Pursuant to Section 120.54(6), F.S., subsection 64E-5.101(194), F.A.C., is substantively identical to 10 CFR 20.1003 published on 01/01/2007.)~~

(190) through (194) No change.

(195) "Discrete source" means a radionuclide that has been processed so that its concentration within a material has been purposely increased for use for commercial, medical, or research activities.

(196) "Positron Emission Tomography (PET) radionuclide production facility" means a facility operating a cyclotron or accelerator for the purpose of producing PET radionuclides.

(197) "Consortium" means an association of medical use licensees and a PET radionuclide production facility in the same geographical area that jointly own or share in the operation and maintenance cost of the PET radionuclide production facility that produces PET radionuclides for use in producing radioactive drugs within the consortium for noncommercial distributions among its associated members for medical use. The PET radionuclide production facility within the consortium must be located at an educational institution or a Federal facility or a medical facility.

(198) "Waste" or "Radioactive Waste" means those low-level radioactive wastes containing source, special nuclear or other radioactive material that are acceptable for disposal in a land disposal facility. For the purposes of this definition, low-level radioactive waste means radioactive waste not classified as high-level radioactive waste, transuranic waste, spent nuclear fuel, or radioactive material as defined in subsections 64E-5.101(21)(b), (c) and (d).

Rulemaking Authority 404.042, 404.051, 404.061 FS. Law Implemented 404.031, 404.051, 404.061, 404.20, 404.22, FS. History–New 7-17-85, Amended 4-4-89, 5-12-93, 1-1-94, 5-15-96, Formerly 10D-91.102, Amended 5-18-98, 10-8-00, 8-6-01, 9-11-01, 12-18-01, 9-28-06, 8-16-07, 2-28-08, 2-11-10, _____.

64E-5.203 Radioactive Material Other Than Source Material – Exemptions.

(1) Exempt Concentrations.

(a)1. Except as provided in this section, any person is exempt from this part to the extent that such person receives, possesses, uses, transfers, owns or acquires products containing radioactive material introduced in concentrations not in excess of those listed in Schedule A.

2. A manufacturer, processor, or producer of a product or material is exempt from the requirements for a license to the extent that this person transfers radioactive material contained in a product or material in concentrations not in excess of those specified in Schedule A and introduced into the product or material by a licensee holding a specific license issued by the NRC expressly authorizing such introduction. This exemption does not apply to the transfer of radioactive material contained in any food, beverage, cosmetic, drug, or other commodity or product designed for ingestion or inhalation by, or application to, a human being.

(b) No person may introduce radioactive material into a product or material knowing or having reason to believe that it will be transferred to persons exempt under (1)(a), above, or equivalent regulations of the NRC, an Aagreement State or Licensing State, except in accordance with a specific license issued by the NRC pursuant to 10 CFR 32.11. ~~Rule 64E-5.210, F.A.C., or the general license provided in Rule 64E-5.216, F.A.C.~~

(2) Exempt Quantities.

(a) Except as provided in (2)(b) through (d) ~~and (c)~~, below, any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires radioactive material in individual quantities each of which does not exceed the applicable quantity set forth in Schedule B.

(b) through (c) No change.

(d) No person may, for purposes of producing an increased radiation level, combine quantities of byproduct material covered by this exemption so that the aggregate quantity exceeds the limits set forth in Schedule B, except for radioactive material combined within a device placed in use before May 3, 1999, or as otherwise permitted by the regulations in this part.

(e)1. Any person, who possesses radioactive material received or acquired before September 25, 1971, under the then existing general license issued to transfer, receive, acquire, own, possess, use and import quantities of radioactive materials listed in subparagraph 64E-5.203(2)(e)2., F.A.C., Table of General Licensed Quantities prior to September 25, 1971 below, or similar general license of a State, or provided that no person shall at any one time possess or use, pursuant to the general license provisions of this section, more than a total of ten such quantities.

2. Below is the Table of General Licensed Quantities prior to September 25, 1971:

	Radioactive material	Column No. I Not as a sealed source (microcuries)	Column No. III As a sealed source (microcuries)
a	Antimony (Sb 124)	1	10
b	Arsenic 76 (As 76)	10	10
c	Arsenic 77 (As 77)	10	10
d	Barium 140 – Lanthanum 140 (Ba La 140)	1	10
e	Beryllium 7 (Be 7)	50	50
f	Cadmium 109 – Silver 109 (Cd Ag 109)	10	10
g	Calcium 45 (Ca 45)	10	10
h	Carbon 14 (C 14)	50	50
i	Cerium 144 – Praseodymium (Ce Pr 144)	1	10
j	Cesium – Barium 137 (Cs Ba 137)	1	10
k	Chlorine 36 (Cl 36)	1	10
l	Chromium 51 (Cr 51)	50	50
m	Cobalt 60 (Co 60)	1	10
n	Copper 64 (Cu 64)	50	50
o	Europium 154 (Eu 154)	1	10
p	Fluorine 18 (F 18)	50	50
q	Gallium 72 (Ga 72)	10	10
r	Germanium 71 (Ge 71)	50	50
s	Gold 198 (Au 198)	10	10
t	Gold 199 (Au 199)	10	10
u	Hydrogen 3 (Tritium) (H 3)	250	250
v	Indium 114 (In 114)	1	10
w	Iodine 131 (I-131)	10	10
x	Iridium 192 (Ir 192)	10	10
y	Iron 55 (Fe 55)	50	50
z	Iron 59 (Fe 59)	1	10
aa	Lanthanum 140 (La 140)	10	10
bb	Manganese 52 (Mn 52)	1	10
cc	Manganese 56 (Mn 56)	50	50
dd	Molybdenum 99 (Mo 99)	10	10
ee	Nickel 59 (Ni 59)	1	10
ff	Nickel 63 (Ni 63)	1	10
gg	Niobium 95 (Nb 95)	10	10
hh	Palladium 109 (Pd 109)	10	10
ii	Palladium 103 – Rhodium 103 (Pd-Rh 103)	50	50
jj	Phosphorus 32 (P 32)	10	10
kk	Polonium 210 (Po 210)	0.1	1
ll	Potassium 42 (K 42)	10	10
mm	Praseodymium 143 (Pr 143)	10	10
nn	Promethium 147 (Pm 147)	10	10
oo	Rhenium 186 (Re 186)	10	10
pp	Rhodium 105 (Rh 105)	10	10
qq	Rubidium 86 (Rb 86)	10	10
rr	Ruthenium 106 – Rhodium 106 (Ru Rh 106)	1	10
ss	Samarium 153 (Sm 153)	10	10
tt	Scandium 46 (Sc 46)	1	10
uu	Silver 105 (Ag 105)	1	10
vv	Silver 111 (Ag 111)	10	10
ww	Sodium 22 (Na 22)	10	10
xx	Sodium 24 (Na 24)	10	10
yy	Strontium 89 (Sr 89)	1	10

zz	Strontium 89 – Yttrium 90 (Sr Y 90)	0.1	1
aaa	Sulfur 35 (S 35)	50	50
bbb	Tantalum 182 (Ta 182)	10	10
ccc	Technetium 96 (Tc 96)	1	10
ddd	Technetium 99 (Tc 99)	1	10
eee	Tellurium 127 (Te 127)	10	10
fff	Tellurium 129 (Te 129)	1	10
ggg	Thallium 204 (Tl 204)	50	50
hhh	Tin 112 (Sn 113)	10	10
iii	Tungsten 185 (W 185)	10	10
jjj	Vanadium 48 (V 48)	1	10
kkk	Yttrium 90 (Y 90)	1	10
lll	Yttrium 91 (Y 91)	1	10
mmm	Zinc 65 (Zn 65)	10	10
nnn	Beta or Gamma emitting radioactive material not listed above	1	10

(3) Exempt Items.

(a) Certain Items Containing Radioactive Material. Except for persons who apply radioactive material to, or persons who incorporate radioactive material into, the following products, any person is exempt from these regulations to the extent that he receives, possesses, uses, transfers, owns or acquires the following products. Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing byproduct material whose subsequent possession, use, transfer and disposal by all other persons are exempted from regulatory requirements may be obtained only from the NRC ~~U.S. Nuclear Regulatory Commission~~, Washington, D.C. 20555:

1. Timepieces, hands or dials containing not more than the following specified quantities of radioactive material and not exceeding the following specified amount of radioactive material or dose rate, as applicable:

a. through g. No change.

h. One microcurie (37 kBq) of radium 226 per timepiece in intact timepieces manufactured ~~acquired~~ prior to November 30, 2007 ~~January 1, 1989~~.

2. Ionization chamber smoke detectors containing not more than 1 microcurie (μCi) of americium-241 per detector in the form of a foil and designed to protect life and property from fires ~~Lock illuminators containing not more than 15 millicuries (555 MBq) of tritium or not more than 2 millicuries (74 MBq) of promethium 147 installed in automobile locks. The radiation dose rate from each lock illuminator containing promethium 147 will not exceed 1 millirad (10 uGy) per hour at 1 centimeter from any surface when measured through 50 milligrams per square centimeter of absorber~~.

3. Precision balances containing not more than 1 millicurie (37 MBq) of tritium per balance or not more than 0.5 millicurie (18.5 MBq) of tritium per balance part manufactured before December 17, 2007.

4. Marine compasses containing not more than 750 millicuries (27.8 GBq) of tritium gas and other marine navigational instruments containing not more than 250 millicuries (9.25 GBq) of tritium gas manufactured before December 17, 2007 ~~Automobile shift quadrants containing not more than 25 millicuries (925 MBq) of tritium~~.

~~5. Marine compasses containing not more than 750 millicuries (27.8 GBq) of tritium gas and other marine navigational instruments containing not more than 250 millicuries (9.25 GBq) of tritium gas.~~

~~6. Thermostat dials and pointers containing not more than 25 millicuries (925 MBq) of tritium per thermostat.~~

7. and 8. Renumbered 5. and 6.

5.~~7.~~ Electron tubes, including spark gap tubes, power tubes, gas tubes including glow lamps, receiving tubes, microwave tubes, indicator tubes, pick-up tubes, radiation detection tubes and any other completely sealed tube that is designed to conduct or control electrical currents; provided, that the radiation dose rate from each electron tube containing radioactive material shall not exceed 1 millirad (10 uGy) per hour at 1 centimeter from any surface when measured through 7 milligrams per square centimeter of absorber, and that each tube does not contain more than one of the following specified quantities of radioactive material:

a. through f. No change.

6.~~8.~~ Ionizing radiation measuring instruments containing, for purposes of internal calibration or standardization, one or more sources of radioactive material, provided that:

a. through c. No change.

~~9. Spark gap irradiators containing not more than 1 microcurie (37 kBq) of cobalt 60 per spark gap irradiator for use in electrically ignited fuel oil burners having a firing rate of at least 3 gallons (11.4 l) per hour.~~

(b) No change.

(c) Gas and Aerosol Detectors Containing Radioactive Material.

1. Except for persons who manufacture, process, ~~or~~ produce, or initially transfer for sale or distribution gas and aerosol detectors containing radioactive material, any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires radioactive material in gas and aerosol detectors designed to

protect life or property from fires and airborne hazards, provided that detectors containing radioactive material shall have been manufactured, processed, produced, imported or initially transferred in accordance with a specific license issued by the NRC ~~U.S. Nuclear Regulatory Commission~~ pursuant to Section 32.26 of 10 C.F.R. Part 32~~; or a Licensing State pursuant to subsection 64E-5.210(3), F.A.C., which authorizes the transfer of the detectors to persons who are exempt from regulatory requirements~~. Authority to transfer possession or control by the manufacturer, processor or producer of any equipment, device, commodity or other product containing byproduct material whose subsequent possession, use, transfer and disposal by all other persons are exempted from regulatory requirements may be obtained only from the NRC ~~U.S. Regulatory Commission~~, Washington, D.C., 20555.

2. This exemption also covers gas and aerosol detectors manufactured or distributed before November 30, 2007 in accordance with a specific license issued by a State under comparable Section 32.26 of 10 CFR, Part 32 authorizing distribution to persons exempt from regulatory requirements. ~~Gas and aerosol detectors previously manufactured and distributed to general licensees in accordance with a specific license issued by an agreement state shall be considered exempt under (3)(c)1., above, provided that the device is labeled in accordance with the specific license authorizing distribution of devices under a general license, and provided further that they meet the requirements of subsection 64E-5.210(3), F.A.C.~~

~~3. Gas and aerosol detectors containing NARM previously manufactured and distributed in accordance with a specific license issued by a Licensing State shall be considered exempt under (3)(c)1., above, provided that the device is labeled in accordance with the specific license authorizing distribution, and provided further that they meet the requirements of subsection 64E-5.210(3), F.A.C.~~

~~(d) Resins Containing Scandium-46 and Designed for Sand Consolidation in Oil Wells. Any person is exempt from these regulations to the extent that such person receives, possesses, uses, transfers, owns or acquires synthetic plastic resins containing scandium-46 which are designed for sand consolidation in oil wells. Such resins shall have been manufactured or imported in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission, or shall have been manufactured in accordance with the specifications contained in a specific license issued by the Department or any agreement state to the manufacturer of such resins pursuant to licensing requirements equivalent to those in Sections 32.16 and 32.17 of 10 C.F.R. Part 32. This exemption does not authorize the manufacture of any resins containing scandium 46.~~

(4) No change.

Rulemaking Authority 404.051, 404.061, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (10), 404.141 FS. History–New 7-17-85, Amended 4-4-89, Formerly 10D-91.303, Amended 10-8-00, _____.

64E-5.204 Types of Licenses.

Licenses for radioactive materials are of two types: general and specific.

(1) No change.

(2) Specific licenses require the submission of an application to the Ddepartment and the issuance of a licensing document by the Ddepartment. The licensee is subject to all applicable portions of these regulations as well as any limitations specified in the licensing document. The licensee is subject to the payment of fees as authorized under Section 404.131, F.S., and as outlined below:

(a) through (d) No change.

(e) Below is the schedule of fees for specific radioactive materials licenses:

1. through 4. No change.		
5. Medical use:		
a.(I) Teletherapy or gamma stereotactic radiosurgery including gamma knife devices;	$1,838	$1,791
(II) High, medium, low or pulsed dose rate remote afterloader ~~afterloading~~ devices;	$1,697	$1,654
(III) High, medium, low or pulsed dose rate remote afterloader ~~afterloading~~ devices and gamma stereotactic radiosurgery including gamma knife devices or teletherapy devices;	$1,838	$1,791
b. through e. No change.		
f.(I) No change.		
f.(II) Mobile high, medium, low or pulsed dose rate remote afterloader ~~afterloading~~ therapy device when the treatment is only performed on the mobile vehicle.	$2,970	$3,308
6. through 7. No change.		

Rulemaking Authority 404.051, 404.061, 404.131 FS. Law Implemented 404.031, 404.051, 404.061, 404.081, 404.131, 404.141 FS. History–New 7-17-85, Amended 9-9-90, 8-25-91, 5-12-93, 11-6-94, Formerly 10D-91.304, Amended 5-18-98, 9-28-06, 8-16-07, _____.

64E-5.206 General Licenses – Radioactive Material Other Than Source Material.

(1) through (3) No change.

(4) Certain Measuring, Gauging and Controlling Devices.

(a) through (b) No change.

(c) Any person who owns, receives, acquires, possesses, uses, or transfers radioactive material in a device pursuant to the general license in paragraph (4)(a), above;

1. through 6. No change.

7. Except as provided in subparagraph (4)(c)8., below, shall transfer or dispose of the device containing radioactive material only by export as provided by paragraph 15 below, transfer to a specific licensee of the Ddepartment, the NRC, or an Agreement State, whose specific license authorizes him to receive the device, and within 30 days after transfer of a device to a specific licensee or export, shall furnish to the Ddepartment a report containing identification of the device by manufacturer's or initial transferor's name and model number and serial number, the name, address, license number, where applicable, of the person receiving the device, and the date of the transfer;

8. through 9. No change.

10. Shall be required to obtain written Ddepartment authorization before transferring the device to any other specific license not specifically identified in subparagraph 64E-5.206(4)(c)7., F.A.C. A holder of a specific license may transfer a device for possession and use under its own specific license without prior approval if the specific license holder satisfies the following requirements: ~~The Department authorization is granted provided the specific license identifies the device.~~

a. Verifies that the specific license authorizes the possession and use, or applies for and obtains an amendment to the license authorizing the possession and use;

b. Removes, alters, covers, or clearly and unambiguously augments the existing label otherwise required by subparagraph 64E-5.206(4)(c)1., F.A.C., so that the device is labeled in compliance with Rule 64E-5.325, F.A.C., provided the manufacturer, model number, and serial number is retained;

c. Obtains manufacturer's or initial transferor's information concerning maintenance that would be applicable under the specific license such as leak testing procedures;

d. Reports the transfer under subparagraph 64E-5.206(4)(c)7., F.A.C.

11. through 16. No change.

(d) through (e) No change.

(5) through (6) No change.

(7) Medical Diagnostic Uses.

(a) No change.

(b) No physician shall receive, possess, use or transfer radioactive material pursuant to the general license established by paragraph (7)(a), above, until he has submitted the original and one copy of the completed ~~information requested on~~ form DH ~~DOH Form~~ 361 10/12, ~~entitled "Certificate – Medical Use of Radioactive Material under General License", which is herein incorporated by reference effective 7-17-85, with the Department~~ and received from the Department a validated copy of this form with a certification number assigned. DH 361 10/12, entitled, "Certificate – Medical Use of Radioactive Material under General License," is herein incorporated by reference and can be obtained from the internet at or at http://www.doh.state.fl.us/environment/radiation/matform.htm.

(c) through (f) No change.

(8) General License for Use of Radioactive Material for Certain *In Vitro* Clinical or Laboratory Testing.

(a) No change.

(b) No person shall receive, acquire, possess, use or transfer radioactive material pursuant to the general license established by (8)(a), above until he has submitted~~,~~ the original and one copy of the completed form DH ~~in triplicate, the information requested on DOH Form~~ 360 10/12, ~~entitled "Certificate – *In Vitro* Testing with Radioactive Material under General License, which is herein incorporated by reference, effective 7-17-85, with the Department~~ and received from the Department a validated copy of ~~the "Certificate – *In Vitro* Testing with Radioactive Material under General License"~~ this form with a certification number assigned. DH 360 10/12 entitled, "Certificate – *In Vitro* Testing with Radioactive Material under General License" is herein incorporated by reference and can be obtained from the internet at or at http://www.doh.state.fl.us/environment/radiation/matform.htm.

(c) through (g) No change.

(9) through (10) No change.

Rulemaking Authority 404.051, 404.061, 404.071, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), (6), (8), (9), (10), (11), 404.061(2), 404.071(1), (3), 404.081(1), 404.141 FS. History–New 7-17-85, Amended 4-4-89, 1-1-94, Formerly 10D-91.306, Amended 9-28-06, 2-28-08, .

64E-5.210 Special Requirements for a Specific License to Manufacture, Assemble, Repair or Distribute Commodities, Products or Devices Which Contain Radioactive Material.

(1) Licensing the Distribution of Radioactive Material in Exempt Concentrations. Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity or other product containing by-product material whose subsequent possession, use, transfer and disposal by all other persons are exempted from regulatory requirements may be obtained only from the NRC, Washington, D.C. 20555. No person may introduce radioactive materials into a product or material knowing or having reason to believe that it will be transferred to persons exempt under subsection 64E-5.203(1), F.A.C., NRC or equivalent regulations of an Agreement State, except in accordance with a license issued by the NRC under 10 CFR 32.11. ~~Licensing the Introduction of Radioactive Material into Products in Exempt Concentrations.~~

~~(a) In addition to the requirements set forth in Rule 64E-5.208, F.A.C., a specific license authorizing the introduction of radioactive material into a product or material owned by or in the possession of the licensee or another to be transferred to persons exempt under paragraph 64E-5.203(1)(a), F.A.C., will be issued if:~~

~~1. The applicant submits a description of the product or material into which the radioactive material will be introduced, intended use of the radioactive material and the product or material into which it is introduced, method of introduction, initial concentration of the radioactive material in the product or material, control methods to assure that no more than the specified concentration is introduced into the product or material, estimated time interval between introduction and transfer of the product or material, and estimated concentration of the radioactive material in the product or material at the time of transfer; and~~

~~2. The applicant provides reasonable assurance that the concentrations of radioactive material at the time of transfer will not exceed the concentrations in Schedule A of this part, that reconcentration of the radioactive material in concentrations exceeding those in Schedule A is not likely, that use of lower concentrations is not feasible, and that the product or material is not likely to be incorporated in any food, beverage, cosmetic, drug or other commodity or product designed for ingestion or inhalation by, or application to, a human being.~~

~~(b) Each person licensed under this subsection shall file an annual report with the Department which shall identify the type and quantity of each product or material into which radioactive material has been introduced during the reporting period; name and address of the person who owned or possessed the product or material, into which radioactive material has been introduced, at the time of introduction; the type and quantity of radionuclide introduced into each such product or material; and the initial concentrations of the radionuclide in the product or material at time of transfer of the radioactive material by the licensee. If no transfers of radioactive material have been made pursuant to this subsection during the reporting period, the report shall so indicate. The report shall cover the year ending June 30, and shall be filed within 30 days thereafter.~~

(2) Licensing the Distribution of Radioactive Material in Exempt Quantities. Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity or other product containing byproduct material whose subsequent possession, use, transfer and disposal by all other persons are exempted from regulatory requirements may be obtained only from the NRC ~~U.S. Nuclear Regulatory Commission~~, Washington, D.C. 20555. No person may introduce radioactive materials into a product or material knowing or having reason to believe that it will be transferred to persons exempt under subsection 64E-5.203(1), F.A.C., NRC or equivalent regulations of an Agreement State, except in accordance with a license issued by the NRC under 10 CFR 32.11.

~~(a) An application for a specific license to distribute NARM to persons exempted from these regulations pursuant to subsection 64E-5.203(2), F.A.C., will be approved if:~~

~~1. The radioactive material is not contained in any food, beverage, cosmetic, drug, or other commodity designed for ingestion or inhalation by, or application to, a human being;~~

~~2. The radioactive material is in the form of processed chemical elements, compounds, or mixtures, tissue samples, bioassay samples, counting standards, plated or encapsulated sources, or similar substances, identified as radioactive and to be used for its radioactive properties, but is not incorporated into any manufactured or assembled commodity, product, or device intended for commercial distribution; and~~

~~3. The applicant submits copies of prototype labels and brochures and the Department approves such labels and brochures, subject to the provisions of subparagraph (2)(b)3., below, and requirements herein.~~

~~(b) The license issued under paragraph (2)(a), above, is subject to the following conditions:~~

~~1. No more than 10 exempt quantities shall be sold or transferred in any single transaction. However, an exempt quantity may be composed of fractional parts of one or more of the exempt quantity provided the sum of the fractions shall not exceed unity.~~

~~2. Each exempt quantity shall be separately and individually packaged. No more than 10 such packaged exempt quantities shall be contained in any outer package for transfer to persons exempt pursuant to subsection 64E-5.203(2), F.A.C. The outer package shall be such that the dose rate at the external surface of the package does not exceed 0.5 millirem (5 μSv) per hour.~~

~~3. The immediate container of each quantity or separately packaged fractional quantity of radioactive material shall bear a durable, legible label which:~~

~~a. Identifies the radionuclide and the quantity of radioactivity, and~~

~~b. Bears the words "Radioactive Material".~~

~~4. In addition to the labeling information required by subparagraph (2)(b)3., above, the label affixed to the immediate container, or accompanying brochure, shall:~~

~~a. State that the contents are exempt from Licensing State requirements,~~

~~b. Bear the words "Radioactive Material – Not for Human Use – Introduction into Foods, Beverages, Cosmetics, Drugs or Medicinals, or into Products Manufactured for Commercial Distribution is Prohibited – Exempt Quantities Should Not Be Combined," and~~

~~c. Set forth appropriate additional radiation safety precautions and instructions relating to the handling, use, storage and disposal of the radioactive material.~~

~~(c) Each person licensed under subsection (2), above, shall maintain records identifying, by name and address, each person to whom radioactive material is transferred for use under subsection 64E-5.204(2), F.A.C., or the equivalent regulations of a Licensing State, and stating the kinds and quantities of radioactive material transferred. An annual summary report stating the total quantity of each radionuclide transferred under the specific license shall be filed with the Department. Each report shall cover the year ending June 30, and shall be filed within 30 days thereafter. If no transfers of radioactive material have been made pursuant to (2), above, during the reporting period, the report shall so indicate.~~

(3) Licensing the Distribution of Radioactive Material in Exempt Items. Authority to transfer possession or control by the manufacturer, processor, or producer of any equipment, device, commodity or other product containing by-product material whose subsequent possession, use, transfer and disposal by all other persons are exempted from regulatory requirements may be obtained only from the NRC, Washington, D.C. 20555. No person may introduce radioactive materials into a product or material knowing or having reason to believe that it will be transferred to persons exempt under subsection 64E-5.203(1), F.A.C., NRC or equivalent regulations of an Agreement State, except in accordance with a license issued by the NRC under 10 CFR 32.11. ~~Licensing the Incorporation of Naturally Occurring and Accelerator-Produced Radioactive Material (NARM) into Gas and Aerosol Detectors. An application for a specific license authorizing the incorporation of NARM into gas or aerosol detectors to be distributed to persons exempt under paragraph 64E-5.203(3)(c), F.A.C., will be approved if the application satisfies the requirements of this part and Parts I, III, IX and XV. The maximum quantity of radium 226 in each device shall not exceed 0.1 microcurie (3.7 kBq).~~

(4) Licensing the Manufacture and Distribution of Devices to General Licensees Under subsection 64E-5.206(4), F.A.C.

(a) through (g) No change.

(h) Each person licensed under subsection 64E-5.210(4), F.A.C., shall comply with the following reporting and record keeping requirements.

1. Report all transfers of devices to persons for use under the general license described in subsection 64E-5.206(4), F.A.C., and all receipts of devices from persons licensed under subsection 64E-5.206(4), F.A.C., to the D~~d~~epartment. This report must be submitted at intervals not to exceed 3 months and contain all of the information described in "Transfers of Industrial Devices Report 04/2007" which is herein incorporated by reference and is available at the address listed in paragraph 64E-5.204(2)(b), F.A.C., or can be obtained from the internet at or at http://www.doh.state.fl.us/environment/radiation/regs/64e-5tab.htm ~~http://www.doh.state.fl.us/environment/radiation/~~.

2. through 7. No change.

(i) through (j) No change.

(5) through (7) No change.

(8) Manufacture and Distribution of Radioactive Material for Certain in *In Vitro* Clinical or Laboratory Testing Under General License. An application for a specific license to manufacture or distribute radioactive material for use under the general license of subsection 64E-5.206(8), F.A.C., will be approved if:

(a) through (e) No change.

(f) The applicant satisfies the requirements specified in paragraph 64E-5.210(10)(b), F.A.C.

(9) No change.

(10) Manufacture and Distribution of Radiopharmaceuticals Containing Radioactive Material for Medical Use. An application for a specific license to manufacture and distribute radiopharmaceuticals containing radioactive material for use by persons licensed pursuant to Part VI for the uses listed in Rules 64E-5.626, 64E-5.627, 64E-5.630 and 64E-5.664, F.A.C., will be approved if:

(a) through (b) No change.

(c) The applicant submits information on the radionuclide, chemical and physical form, the ~~packaging including~~ maximum activity per vial, syringe, generator, or other container of the radioactive drug ~~package~~, and shielding provided by the packaging of the radioactive material which is appropriate for safe handling and storage of radiopharmaceuticals by medical use licensees;

(d) through (e) No change.

(f) An application from a medical facility, educational institution, or Federal facility to produce Positron Emission Tomography (PET) radiopharmaceuticals containing for noncommercial transfer to licensees in its consortium licensed for medical pursuant to Part VI, or equivalent Agreement State, or NRC rules will be approved if:

1. The requirements of paragraphs 64E-5.210(10)(a), (b), and (e), F.A.C., are satisfied;

2. The information required of paragraphs 64E-5.210(10)(c) and (d), F.A.C., indicates the PET drugs to be noncommercially transferred to members of its consortium.

(11) through (13) No change.

(14) A licensee, manufacturer or an initial distributor of a sealed source or device containing a sealed source whose product contains exempt NARM or is intended for use under a general or specific license must submit a request for an evaluation of the sealed source or device containing a sealed source and obtain a registration from the D~~d~~epartment.

(a) through (b) No change.

(c) The D~~d~~epartment shall use criteria and standards sufficient to ensure that the radiation safety properties of the sealed source or device are adequate to protect public health, safety and property. Criteria and standards used by the D~~d~~epartment in evaluating a sealed source or device include:

1. U.S. Department of Health and Human Services Publication FDA 81-8025 June 1981, Guides for Naturally Occurring and Accelerator-Produced Radioactive Materials (NARM), which is herein incorporated by reference and can be obtained from the internet at or at http://www.doh.state.fl.us/environment/radiation/matform.htm which is available from the department.

2. NRC ~~U.S. Nuclear Regulatory Commission~~ Regulatory Guide 10.10 March 1987, Guide for the Preparation of Applications for Radiation Safety Evaluations and Registration of Devices Containing Byproduct Material, which is herein incorporated by reference and can be obtained from the internet at or at http://pbadupws.nrc.gov/docs/ML0037/ML003740220.pdf or at http://www.doh.state.fl.us/environment/radiation/ ~~and which is available from the department~~.

3. NRC ~~U.S. Nuclear Regulatory Commission~~ Regulatory Guide 10.11 June 1987, Guide for the Preparation of Applications for Radiation Safety Evaluations of Sealed Sources Containing Byproduct Material, which is herein incorporated by reference and can be obtained from the internet at or at http://pbadupws.nrc.gov/docs/ML0037/ML003740233.pdf or at http://www.doh.state.fl.us/environment/radiation/ ~~and which is available from the department~~.

4. American National Standards Institute (ANSI) Standard, ANSI-HPS N43.8-2008 ~~N538~~, Classification of Industrial Ionizing Radiation Gauging Devices ~~October 1979~~, which is herein incorporated by reference and can be obtained from the internet at http://hps.org/hpssc/documents/ansi_standards_order_form.pdf ~~and which is available from the department~~.

5. ANSI ~~American National Standards Institute~~ Standard, ANSI-HPS N43.4-2005 ~~N540~~, Classification of Radioactive Self-Luminous Light Sources ~~January 1976~~, which is herein incorporated by reference and can be obtained from the internet at http://hps.org/hpssc/documents/ansi_standards_order_form.pdf ~~which is available from the department~~.

6. ANSI ~~American National Standards Institute~~ Standard N432-1980, NBS Handbook 136, Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography, which is herein incorporated by reference and can be obtained from the internet at _____ or at http://pbadupws.nrc.gov/docs/ML0508/ML050840139.pdf or at http://www.doh.state.fl.us/environment/radiation/matform.htm which is available from the department.

7. ANSI ~~American National Standards Institute~~ Standard, ANSI-HPS N43.6-2007 ~~N542~~, Sealed Radioactive Sources Classification ~~July 1978~~, which is herein incorporated by reference and can be obtained from the internet at http://hps.org/hpssc/documents/ansi_standards_order_form.pdf ~~which is available from the department~~.

(d) through (e) No change.

(15) Each licensee who manufactures a nationally tracked source after February 6, 2007 shall assign a unique serial number to each nationally tracked source. Serial numbers must be composed only of alpha-numeric characters. ~~(Pursuant to Section 120.54(6), F.S., subsection 64E-5.210(15), F.A.C., is substantively identical to 10 CFR 32.201 published on 01/01/2007.)~~

Rulemaking Authority 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051, 404.061, 404.081, 404.141 FS. History–New 7-17-85, Amended 8-25-91, 5-12-93, 1-1-94, 5-15-96, Formerly 10D-91.311, Amended 8-6-01, 9-28-06, 8-16-07, 2-28-08, 2-11-10, _____.

64E-5.213 Specific Terms and Conditions of License.

(1) through (3) No change.

(4)(a) Each person licensed by the Department pursuant to this part shall confine use and possession of the material licensed to the locations and purposes authorized in the license.

(b) Each person specifically licensed by the Department shall maintain a fixed facility located within the state of Florida.

(5) through (7) No change.

(8) A licensee shall apply and receive a license amendment or D~~d~~epartment approval:

(a) through (f) No change.

(g) Identifying all sources or devices by manufacturer and model number as registered by the sealed source and device registry or for sources or devices not registered by the sealed source and device registry provide the information in subsection 64E-5.210(14), F.A.C.

Rulemaking Authority 404.051, 404.061, 404.141 FS. Law Implemented 404.051(1), (4), 404.061(2), (3), 404.081(1), 404.141 FS. History–New 7-17-85, Amended 4-4-89, 5-12-93, 8-29-94, Formerly 10D-91.314, Amended 5-18-98, 9-28-06, 2-11-10, _____.

64E-5.216 Reciprocal Recognition of Licenses for Byproduct, Source, Naturally Occurring and Accelerator Produced Radioactive Material, and Special Nuclear Material in Quantities Not Sufficient to Form a Critical Mass.

(1) Subject to these regulations, any person who holds a specific license from the NRC, or an A~~a~~greement S~~s~~tate and issued by the agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, will be granted a general license by the Department to conduct the activities authorized in such licensing document within the State of Florida, except for areas of exclusive federal jurisdiction, for a period not in excess of 180 consecutive days provided that:

(a) through (c) No change.

(d) The out-of-state licensee shall not transfer or dispose of radioactive material possessed or used under the general license provided in this section except by transfer to a person who is specifically licensed by the Department, by the NRC, an Agreement State or a Licensing State to receive such material.

~~1. Specifically licensed by the Department, by the NRC, an agreement state or a Licensing State to receive such material, or~~

~~2. Exempt from the requirements for a license for such material under paragraph 64E-5.203(1)(a), F.A.C.~~

(e) No change.

(2) through (3) No change.

Rulemaking Authority 404.051(4), (11), 404.061(2), 404.081(1), 404.141 FS. Law Implemented 404.051(1), (2), (4), (6), (11), 404.061(2), 404.081(1) FS. History–New 7-17-85, Amended 4-4-89, Formerly 10D-91.321, Amended 10-8-00, 2-28-08, 2-11-10, _____.

64E-5.304 Occupational Dose Limits for Adults.

(1) through (2) No change.

(3) When the external exposure is determined by measurement with an external personal monitoring device, the deep-dose equivalent must be used in place of the effective dose equivalent, unless the effective dose equivalent is determined by a dosimetry method approved by the Department. The assigned deep dose equivalent must be for the part of the body receiving the highest exposure. The assigned shallow dose equivalent must be the dose averaged over the contiguous 10 square centimeters of skin receiving the highest exposure. The deep dose equivalent, lens dose equivalent and shallow dose equivalent may be assessed from surveys or other radiation measurements to demonstrate compliance with the occupational dose limits if the individual monitoring device was not in the region of highest potential exposure or the results of individual monitoring are unavailable.

(4) Derived air concentration (DAC) and annual limit on intake (ALI) values are presented in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table I, and can be used to determine the individual's dose and to demonstrate compliance with the occupational dose limits. See Rule 64E-5.339, F.A.C.

(5) In addition to the annual dose limits, the licensee shall limit the soluble uranium intake by an individual to 10 milligrams in a week in consideration of chemical toxicity. See footnote 3 of State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~.

(6) No change.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History–New 1-1-94, Formerly 10D-91.435, Amended 10-8-00, 9-28-06, _____.

64E-5.306 Determination of External Dose from Airborne Radioactive Material.

(1) Licensees shall include the contribution to the deep dose equivalent, eye dose equivalent, and shallow dose equivalent from external exposure to the radioactive cloud when determining the dose from airborne radioactive material. See State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, footnotes 1 and 2.

(2) No change.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History–New 1-1-94, Formerly 10D-91.437, Amended _____.

64E-5.307 Determination of Internal Exposure.

(1) through (2) No change.

(3) When specific information on the physical and biochemical properties of the radionuclides taken into the body or the behavior of the material in an individual is known, the licensee is permitted to:

(a) through (b) No change.

(c) Separately assess the contribution of fractional intakes of Class D, W, or Y compounds of a given radionuclide to the committed effective dose equivalent. See State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~.

(4) No change.

(5) If the identity and concentration of each radionuclide in a mixture are known, the fraction of the DAC applicable to the mixture for use in calculating DAC-hours shall be either:

(a) The sum of the ratios of the concentration to the appropriate DAC value, that is D, W, or Y, from State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, for each radionuclide in the mixture; or

(b) No change.

(6) through (7) No change.

(8) When determining the committed effective dose equivalent, the following information can be considered:

(a) No change.

(b) For an ALI and the associated DAC determined by the nonstochastic organ dose limit of 50 rem (0.5 sievert), the intake of radionuclides that would result in a committed effective dose equivalent of 5 rem (0.05 sievert), that is, the stochastic ALI, as listed in parentheses in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table I. The licensee can use the stochastic ALI to determine committed effective dose equivalent as a simplifying assumption. However, if the licensee uses the stochastic ALI, the licensee shall also demonstrate that the limit in subparagraph 64E-5.304(1)(a)2., F.A.C., is met.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History–New 1-1-94, Formerly 10D-91.438, Amended _____.

64E-5.313 Compliance with Dose Limits for Individual Members of the Public.

(1) No change.

(2) A licensee or registrant shall show compliance with the annual dose limit in Rule 64E-5.312, F.A.C., by:

(a) No change.

(b) Demonstrating that:

1. The annual average concentrations of radioactive material released in gaseous and liquid effluents at the boundary of the unrestricted area do not exceed the values specified in State of Florida Bureau of Radiation Control ALIs, DACs and Effluent Concentrations, June 2012 ~~July 1993~~, Table II; and

2. No change.

(3) Upon approval from the D~~d~~epartment, the licensee can adjust the effluent concentration values in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, for members of the public to take into account the actual physical and chemical characteristics of the effluents, such as aerosol size distribution, solubility, density, radioactive decay equilibrium, and chemical form.

(4) through (5) No change.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History–New 1-1-94, Amended 11-20-94, 5-15-96, Formerly 10D-91.444, Amended _____.

64E-5.315 Conditions Requiring Individual Monitoring of External and Internal Occupational Dose.

Each licensee or registrant shall monitor exposures from sources of radiation at levels sufficient to demonstrate compliance with the occupational dose limits of this part. As a minimum:

(1) No change.

(2) Each licensee shall monitor to determine compliance with Rule 64E-5.307, F.A.C., the occupational intake of radioactive material by and assess the committed effective dose equivalent to:

(a) Adults likely to receive in 1 year an intake in excess of 10 percent of the applicable ALI in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations June 2012 ~~July 1993~~, Table I, Columns 1 and 2; and

(b) No change.

Rulemaking Authority 404.051, 404.081, FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History–New 1-1-94, Formerly 10D-91.446, Amended 10-8-00, _____.

64E-5.326 Exemptions to Labeling Requirements.

A licensee is not required to label:

(1) No change.

(2) Containers holding licensed material in concentrations less than those specified in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table III;

(3) through (6) No change.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History–New 1-1-94, Formerly 10D-91.459, Amended 10-8-00, _____.

64E-5.330 Discharge by Release into Sanitary Sewerage.

(1) A licensee can discharge licensed material into sanitary sewerage if each of the following conditions is satisfied:

(a) No change.

(b) The quantity of licensed radioactive material that the licensee releases into the sewer in 1 month divided by the average monthly volume of water released into the sewer by the licensee does not exceed the concentration listed in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table III;

(c) If more than one radionuclide is released, the following conditions must also be satisfied;

1. The licensee shall determine the fraction of the limit in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table III represented by discharges into sanitary sewerage by dividing the actual monthly average concentration of each radionuclide released by the licensee into the sewer by the concentration of that radionuclide listed in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table III; and

2. No change.

(d) No change.

(2) No change.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History–New 1-1-94, Formerly 10D-91.463, Amended _____.

SUBPART J WASTE MANAGEMENT

64E-5.331 Disposal of Specific Wastes.

(1) A licensee can dispose of the following licensed material without regard to its radioactivity:

(a) through (c) No change.

(d) Licensed material as defined in paragraphs 64E-5.101(21)(c) and (d), F.A. C., may be disposed of at a licensed low-level radioactive waste disposal facility, even though it is not defined as low-level radioactive waste provided the requirements of Rule 64E-5.332, F.A.C., are satisfied or at a disposal facility authorized to dispose of such material in accordance with any Federal or State solid or hazardous waste law, including the Solid Waste Disposal Act, as authorized under the Energy Policy Act of 2005.

(2) through (3) No change.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History–New 1-1-94, Formerly 10D-91.465, Amended 2-11-10, _____.

SUBPAR L REPORTS

64E-5.344 Notification of Incidents.

(1) through (6) No change.

(7) Twenty-four hour report. Each licensee shall notify the Ddepartment within 24 hours after the discovery of any of the following events involving licensed material:

(a) An unplanned contamination event that:

1. No change.

2. Involves a quantity of material greater than five times the lowest annual limit on intake of materials as specified in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~; and

3. No change.

(b) through (c) No change.

(d) An unplanned fire or explosion damaging any licensed material or any device, container, or equipment containing licensed materials when:

1. The quantity of material involved is five times the lowest annual limit on intake for material specified in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~; and

2. No change.

(e) through (f) No change.

(8) No change.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.081 FS. History–New 1-1-94, Amended 5-15-96, Formerly 10D-91.481, Amended 10-8-00, 2-11-10, _____.

64E-5.350 Reports of Transactions Involving Nationally Tracked Sources.

Each licensee who manufactures, transfers, receives, disassembles, or disposes of a nationally tracked source shall complete and submit to the NRC a National Source Tracking Transaction Report as specified in paragraphs (1) through (5) of this section for each type of transaction. ~~(Pursuant to Section 120.54(6), F.S., Rule 64E-5.350, F.A.C., except subsection 64E-5.350(8), F.A.C., as noted below, is substantively identical to 10 CFR 20.2207 effective 02/06/2007.)~~

(1) through (7) No change.

(8) Each licensee that possesses Category 1 nationally tracked sources shall report its initial inventory of Category 1 nationally tracked sources to the National Source Tracking System by January 31, 2009 or as specified in 10 C.F.R. 20.2207(h), whichever is the latest. Each licensee that possesses Category 2 nationally tracked sources shall report its initial inventory of Category 2 nationally tracked sources to the National Source Tracking System by January 31, 2009 or as specified in 10 C.F.R. 20.2207(h), whichever is the latest. The information may be submitted by using any of the methods identified by paragraphs (6)(a) through (6)(e) of this section. The initial inventory report must include the following information: ~~(Pursuant to Section 120.54(6), F.S., subsection 64E-5.350(8), F.A.C., is substantively identical to 10 CFR 20.2207(h) effective 10/19/2007.)~~

(a) through (f) No change.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051, 404.081 FS. History–New 2-28-08, Amended _____.

64E-5.351 Nationally Tracked Source Thresholds.

The nationally tracked source thresholds are listed in table 1 below with the Terabecquerel (TBq) values as the regulatory standard. The curie (Ci) values specified are obtained by converting from the TBq value. The curie values are provided for practical usefulness only and are rounded after conversion. ~~(Pursuant to Section 120.54(6), F.S., Rule 64E-5.351, F.A.C., is substantively identical to Appendix E to 10 CFR Part 20 effective 02/06/2007.)~~

Table 1 No change.

Rulemaking Authority 404.051, 404.081 FS. Law Implemented 404.022, 404.051, 404.081 FS. History–New 2-28-08, Amended _____.

64E-5.6011 Definitions.

(1) No change.

(2) "Authorized user" means:

(a) A physician, dentist, or podiatrist who meets the requirements in Rule 64E-5.658 and subsection 64E-5.649(1) ~~64E-5.549(1)~~, ~~64E-5.550(1)~~, 64E-5.660(1), 64E-5.661(1), 64E-5.662(1), 64E-5.652(1), 64E-5.654(1) or 64E-5.655(1), F.A.C.; or

(b) No change.

(3) through (20) No change.

Rulemaking Authority 404.051, 404.061 FS. Law Implemented 404.031, 404.061(2), 404.20, 404.22, 404.30 FS. History–New 2-11-10, Amended _____.

64E-5.607 Authority and Responsibilities.

(1) A licensee shall provide sufficient authority and organizational freedom to the radiation safety officer and the radiation safety committee to:

(a) No change.

(b) Initiate, recommend, or provide solutions; ~~and~~

(c) Require and verify implementation of corrective actions~~.~~; and

(d) Stop unsafe operations.

(2) through (4) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Amended 5-12-93, Formerly 10D-91.713, Amended 2-11-10, _____.

64E-5.609 Visiting Authorized User, Visiting Authorized Medical Physicist, or Visiting RSO.

(1) through (5) No change.

(6) Licensee records shall include a copy of the record described in Rule 64E-5.657, F.A.C., or some other form of documentation that verifies the individual has met the respective ~~perspective~~ training and experience requirements listed in Subpart I. A licensee shall retain copies of the records specified in Rule 64E-5.609, F.A.C., for 3 years after the last visit.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.715, Amended 2-11-10, _____.

SUBPART B GENERAL TECHNICAL REQUIREMENTS

64E-5.614 Possession, Use, Calibration, and Check of Dose Calibrators in the Use of Unsealed Radiopharmaceuticals.

(1) No change.

(2) A licensee shall check each dose calibrator before use each day of use, or during an assigned shift for facilities operating continuously, for constancy with a dedicated check source. The check shall be performed on a frequently used setting with a sealed source of not less than 10 microcuries (370 kBq) of radium 226 or 50 microcuries (1.85 MBq) of any other photon-emitting radionuclide with a half-life greater than 90 days. A record shall be made of each check, which shall include:

(a) through (f) No change.

(g) The name or initials of the individual ~~who~~ performing ~~performed~~ the check.

(3) through (9) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.720, Amended 2-11-10, _____.

64E-5.6251 Manual Brachytherapy Therapy Related Computer Systems.

The licensee shall perform acceptance testing on the treatment planning system of manual brachytherapy therapy-related computer systems in accordance with published protocols accepted by nationally recognized bodies. At a minimum, the acceptance testing must include, as applicable, verification of:

(1) through (4) No change.

Rulemaking Authority 404.051, 404.061, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (6), (10), (11), 404.061(2), (3), 404.081, 404.141 FS. History–New 2-11-10, Amended _____.

SUBPART C UPTAKE, DILUTION, AND EXCRETION

64E-5.626 Use of Radiopharmaceuticals for Uptake, Dilution, or Excretion Studies.

A licensee is allowed to use any unsealed radioactive material in a radiopharmaceutical for a diagnostic use involving measurements of uptake, dilution, or excretion for medical use under the following conditions:

(1) When a written directive is not required by subsection 64E-5.607(3), F.A.C., the licensee must satisfy the following:

(a) through (c) No change

(d) Radioactive material is prepared by:

1. through 2. No change.

3. An individual under the supervision of a physician who is an authorized user under subparagraph 64E-5.626(1)(d)2., F.A.C., and as specified in paragraphs 64E-5.601(3)(a) and (b), 64E-5.607(3)(e), or subsection 64E-5.608(1), F.A.C., or;

(e) No change.

(2) When a written directive is required by subsection 64E-5.607(3), F.A.C., the licensee must satisfy the following:

(a) through (c) No change.

(d) Radioactive material is prepared by:

1. No change.

2. A ~~For sodium iodide I-131 in quantities greater than 30 microcuries (1.11 MBq), a~~ physician who is an authorized user and meets the training requirements specified in Rule 64E-5.650 or 64E-5.660, F.A.C.; or

3. An individual under the supervision of a physician who is an authorized user under subparagraph 64E-5.626(1)(d)2., F.A.C., and as specified in paragraphs 64E-5.601(3)(a) and (b), 64E-5.607(3)(e) or subsection 64E-5.608(1), F.A.C.

(e) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.733, Amended 8-6-01, 2-11-10, _____.

SUBPART D IMAGING AND LOCALIZATION

64E-5.627 Use of Unsealed Radiopharmaceuticals, Generators, and Reagent Kits for Imaging and Localization Studies.

A licensee is allowed to use any radioactive material in a diagnostic radiopharmaceutical, or any generator, or reagent kit, for preparation and diagnostic use of a radiopharmaceutical containing radioactive material for medical use under the following conditions:

(1) When a written directive is not required by subsection 64E-5.607(3), F.A.C., the licensee must satisfy the following:

(a) through (c) No change.

(d) Radioactive material is prepared by:

1. No change.

2. Except for sodium iodide I-131 in quantities greater than 30 microcuries (1.11 MBq), a physician who is an authorized user and meets the training requirements specified in Rules 64E-5.650 or~~,~~ 64E-5.660 and sub-subparagraph 64E-5.650(3)(a)2.g., F.A.C.; or

3. An individual under the supervision of a physician who is an authorized user under subparagraph 64E-5.626(1)(d)2., F.A.C., and as specified in paragraphs 64E-5.601(3)(a) and (b), 64E-5.607(3)(e), or subsection 64E-5.608(1), F.A.C., or;

(e) No change.

(2) When a written directive is required by subsection 64E-5.607(3), F.A.C., the licensee must satisfy the following:

(a) through (c) No change.

(d) Radioactive material is prepared by:

1. No change.

2. A ~~For sodium iodide I-131 in quantities greater than 30 microcuries (1.11 MBq) a~~ physician who is an authorized user and meets the training requirements specified in Rule 64E-5.650 or 64E-5.660, F.A.C.; or

3. An individual under the supervision of a physician who is an authorized user under subparagraph 64E-5.627(2)(d)2., F.A.C., and as specified in paragraphs 64E-5.601(3)(a) and (b), 64E-5.607(3)(e) or subsection 64E-5.608(1), F.A.C.

(e) No change.

(3) For ~~Only for~~ oral administration of sodium iodide I-131 in quantities less than or equal to 33 millicuries (1.22 gigabecquerels) and when a written directive is required by subsection 64E-5.607(3), F.A.C., the licensee must satisfy the following:

(a) through (c) No change.

(d) Radioactive material is prepared by:

1. No change.

2. A ~~For sodium iodide I-131 in quantities greater than 30 microcuries (1.11 MBq), a~~ physician who is an authorized user and meets the training requirements specified in Rule 64E-5.650 or 64E-5.660, F.A.C.; ~~or~~

3. An individual under the supervision of a physician who is an authorized user under subparagraph 64E-5.627(1)(d)2., F.A.C., and as specified in paragraphs 64E-5.601(3)(a) and (b), 64E-5.607(3)(e), or subsection 64E-5.608(1), F.A.C., or;

(e) No change.

(4) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Amended 5-12-93, Formerly 10D-91.735, Amended 8-6-01, 2-11-10, _____.

64E-5.629 Control of Aerosols and Gases.

(1) A licensee shall only administer radioactive aerosols or gases when airborne concentrations are within the limits prescribed by State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table I, Column 3, and Table II.

(2) through (3) No change.

(4) Before receiving, using, or storing radioactive gas, the licensee shall calculate the time needed after a release to reduce the concentration in the area of use to the occupational limit listed in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~. The calculation shall be based on the highest activity of gas handled in a single container and the measured available air exhaust rate.

(5) through (7) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Amended 1-1-94, Formerly 10D-91.737, Amended 2-11-10, _____.

SUBPART E RADIOPHARMACEUTICALS FOR THERAPY

64E-5.630 Use of Radiopharmaceuticals for Therapy.

A licensee is allowed to use any unsealed radioactive material in a radiopharmaceutical that requires a written directive as described in subsection 64E-5.607(3), F.A.C., and for a therapeutic medical use provided the following is met:

(1) For any unsealed radiopharmaceutical including parenteral use listed in subsection 64E-5.630(4), F.A.C., and sodium iodide I-131 use listed in subsections 64E-5.630(2) and (3), F.A.C., the licensee must satisfy the following:

(a) through (c) No change.

(d) Radioactive material is prepared by:

1. through 2. No change.

3. An individual under the supervision of a physician who is an authorized user under subparagraph 64E-5.630(1)(d)2., F.A.C., as specified in paragraphs 64E-5.601(3)(a) and (b), 64E-5.607(3)(e) or subsection 64E-5.608(1), F.A.C.

(e) No change.

(2) For ~~Only for~~ oral administration of sodium iodide I-131 in quantities less than or equal to 33 millicuries (1.22 gigabecquerels) the licensee must satisfy the following:

(a) through (c) No change.

(d) Radioactive material is prepared by:

1. through 2. No change.

3. An individual under the supervision of a physician who is an authorized user under subparagraph 64E-5.626(1)(d)2., F.A.C., and as specified in paragraphs 64E-5.601(3)(a) and (b), 64E-5.607(3)(e), or subsection 64E-5.608(1), F.A.C., or;

(e) No change.

(3) For ~~Only for~~ oral administration of sodium iodide I-131 in quantities greater than 33 millicuries (1.22 gigabecquerels) the licensee must satisfy the following:

(a) through (c) No change.

(d) Radioactive material is prepared by:

1. through 2. No change.

3. An individual under the supervision of a physician who is an authorized user under subparagraph 64E-5.626(1)(d)2., F.A.C., and as specified in paragraphs 64E-5.601(3)(a) and (b), 64E-5.607(3)(e), or subsection 64E-5.608(1), F.A.C., or;

(e) No change.

(4) For ~~Only for~~ parenteral use of radioactive materials the licensee must satisfy the following:

(a) through (c) No change

(d) Radioactive material is prepared by:

1. through 2. No change.

3. An individual under the supervision of a physician who is an authorized user under subparagraph 64E-5.626(1)(d)2., F.A.C., and as specified in paragraphs 64E-5.601(3)(a) and (b), 64E-5.607(3)(e), or subsection 64E-5.608(1), F.A.C., or;

(e) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Amended 5-12-93, Formerly 10D-91.739, Amended 8-6-01, 2-11-10, _____.

SUBPART G SOURCES FOR BRACHYTHERAPY

64E-5.632 Use of Sources for Manual Brachytherapy.

The licensee is allowed to use the brachytherapy sources listed below, provided they are approved by and used as specified in, the Sealed Source and Device Registry~~,~~ for ~~diagnostic~~ medical uses, or in research in accordance with an active IDE application accepted by the FDA and the requirements of Rule 64E-5.612, F.A.C., are met.

(1) through (11) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.745, Amended 2-11-10, _____.

64E-5.633 Manual Brachytherapy Sources Inventory and Surveys.

(1) The licensee shall maintain accountability at all times for all manual brachytherapy sources in storage or use. ~~As soon as possible each time brachytherapy sources are returned to an area of storage from an area of use, the licensee shall immediately count or otherwise verify the number returned to ensure that all sources taken from the storage area have been returned.~~

(a) As soon as possible each time brachytherapy sources are returned to an area of storage from an area of use, the licensee shall immediately count or otherwise verify the number returned to ensure that all sources taken from the storage area have been returned; and

(b) As soon as possible after removing the sources from a patient or a human research subject, the licensee shall immediately count or otherwise verify the number of sources and return them to a secure storage area.

(2) through (4) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.748, Amended 2-11-10, _____.

64E-5.6412 Full Calibration Measurements on Gamma Stereotactic Radiosurgery Units.

(1) No change.

(2) Full calibration measurements of the gamma stereotactic radiosurgery unit shall include the determination of:

(a) through (d) No change.

(e) On-off errors ~~timers~~;

(f) through (j) No change.

(3) through (7) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 2-11-10, Amended _____.

64E-5.6422 Periodic Spot-Checks for Gamma Stereotactic Radiosurgery Units.

(1) No change.

(2) To satisfy the requirements of paragraph 64E-5.6422(1)(a), F.A.C., spot-checks ~~Spot checks~~ shall include the determination of:

(a) through (b) No change.

(3) through (8) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 2-11-10, Amended _____.

64E-5.643 Radiation Surveys for Teletherapy Facilities.

(1) The licensee shall perform radiation surveys with an operable radiation survey instrument calibrated as provided in Rule 64E-5.615, F.A.C., before medical use, after each installation of a teletherapy source~~;~~, following repairs to the source(s) driving unit, or other electronic or mechanical component that could expose the source(s), reduce shielding around the source(s), or compromise the radiation safety of the unit or the source(s); and after making any change for which an amendment is required by Rule 64E-5.636, F.A.C.

(a) The maximum and average radiation levels from the surface of the main source(s) safe with the source(s) in the shielded position do not exceed the levels stated in the Sealed Source and Device Registry ~~at 1 meter from the teletherapy source with the source in the off position and the collimators set for a normal treatment field shall not exceed 10 millirems (100 μSv) per hour and 2 millirems (20 μSv) per hour~~.

~~(b) No change.~~

~~(2) through (3) No change.~~

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Amended 1-1-94, Formerly 10D-91.762, Amended 10-8-00, 2-11-10, _____.

64E-5.645 Remote Afterloader, Gamma Stereotactic, and Teletherapy Therapy-Related Computer Systems.

The licensee shall perform acceptance testing on the treatment planning system of high, medium, low, pulsed dose-rate remote afterloaders, gamma stereotactic, and teletherapy therapy-related computer systems in accordance with published protocols accepted by nationally recognized bodies. An example of a nationally recognized body is the American Association of Physicists in Medicine. At a minimum, the acceptance testing must include, as applicable, verification of the following:

(1) through (5) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Amended 1-1-94, Formerly 10D-91.764, Amended 10-8-00, 2-11-10, _____.

SUBPART I TRAINING AND EXPERIENCE REQUIREMENTS

64E-5.649 Training for Uptake, Dilution, or Excretion Studies.

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require the authorized user of a radiopharmaceutical listed in subsection 64E-5.626(1), F.A.C., to:

(1) No change.

(2) Be an authorized user under Rule 64E-5.650 or 64E-5.660, F.A.C., or equivalent NRC or A~~a~~greement S~~s~~tate requirements; or

(3)(a) Have completed 60 hours of training and experience, including a minimum of 8 hours of classroom and laboratory training, in basic radionuclide handling techniques applicable to the medical use of unsealed radioactive material for uptake, dilution, and excretion studies. The training and experience must include the following:

1. Classroom and laboratory training in the following areas:

a. through c. No change

d. Chemistry of radioactive material for medical use; ~~and~~

e. Radiation biology; and

2. Work experience, under the supervision of an authorized user who meets the requirements in Rule 64E-5.657, 64E-5.649, 64E-5.650 or 64E-5.660, F.A.C., NRC or equivalent A~~a~~greement S~~s~~tate requirements, involving the following:

a. through f. No change.

(b) Have obtained written attestation, signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rule 64E-5.657, 64E-5.649, 64E-5.650 or 64E-5.660, F.A.C., NRC or equivalent A~~a~~greement S~~s~~tate requirements, that the individual has satisfactorily completed the requirements in paragraph 64E-5.649(1)(a) or 64E-5.649(3)(a), F.A.C., of this section and has demonstrated the ability to function independently as an authorized user to fulfill the radiation safety related duties for medical uses authorized under subsection 64E-5.626(1), F.A.C.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.769, Amended 2-11-10, _____.

64E-5.650 Training for Imaging and Localization Studies for Which a Written Directive Is Not Required.

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require the authorized user specified in subsection 64E-5.627(1), F.A.C., to:

(1) No change.

(2) Be an authorized user under Rule 64E-5.660, F.A.C., and meet the requirements in sub-subparagraph 64E-5.650(3)(a)2.g., F.A.C., NRC or equivalent A~~a~~greement S~~s~~tate requirements; or paragraph 64E-5.650(3)(a), F.A.C.; or

(3)(a) Have completed 700 hours of training and experience, including a minimum of 80 hours of classroom and laboratory training, in basic radionuclide handling techniques applicable to the medical use of unsealed radioactive material for imaging and localization studies. The training and experience must include, at a minimum the following:

1. No change.

2. Work experience, under the supervision of an authorized user who meets the requirements in Rule 64E-5.657, 64E-5.650 or 64E-5.660, and sub-subparagraph 64E-5.650(3)(a)2.g., ~~and Rule 64E-5.660,~~ F.A.C., NRC or equivalent A~~a~~greement S~~s~~tate requirements, involving the following:

a. through g. No change.

(b) Have obtained written attestation, signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rules 64E-5.657, 64E-5.650, 64E-5.660, and sub-subparagraph 64E-5.650(3)(a)2.g., F.A.C., NRC or equivalent Aagreement Sstate requirements, that the individual has satisfactorily completed the requirements in paragraph 64E-5.650(1)(a) or 64E-5.650(3)(a), F.A.C., of this section and has demonstrated the ability to function independently as an authorized user to fulfill the radiation safety related duties for medical uses authorized under subsections 64E-5.626(1) and 64E-5.627(1), F.A.C.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.770, Amended 2-11-10, _____.

64E-5.652 Training for Use of Manual Brachytherapy Sources.

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require the authorized user of a brachytherapy source specified in Rule 64E-5.632, F.A.C., to:

(1) No change.

(2)(a) Have completed a structured educational program in basic radionuclide handling techniques applicable to the use of manual brachytherapy sources that includes:

1. No change.

2. 500 hours of work experience, under the supervision of an authorized user who meets the requirements in Rule 64E-5.657 or 64E-5.652, F.A.C., NRC or equivalent Aagreement Sstate requirements at a medical institution, clinic, or private practice facility, involving the following:

a. through f. No change.

(b) Have completed 3 years of supervised clinical experience in radiation oncology, under an authorized user who meets the requirements in Rule 64E-5.657 or 64E-5.652, F.A.C., NRC or equivalent Aagreement Sstate requirements, as part of a formal training program approved by the Residency Review Committee for Radiation Oncology of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Committee on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required by subparagraph 64E-5.652(2)(a)2., F.A.C., of this section; and

(c) Have obtained written attestation, signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rule 64E-5.657 or 64E-5.652, F.A.C., NRC or equivalent Aagreement Sstate requirements, that the individual has satisfactorily completed the requirements in paragraph 64E-5.652(1)(a) or 64E-5.652(2)(a) and 64E-5.652(2)(b), F.A.C., of this section and have demonstrated the ability to function independently as an authorized user to fulfill the radiation safety related duties for medical uses of manual brachytherapy sources authorized under Rule 64E-5.632, F.A.C.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.772, Amended 2-11-10, _____.

64E-5.653 Training for Ophthalmic Use of Strontium 90.

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require the authorized user of only strontium 90 for ophthalmic radiotherapy to:

(1) Be authorized user under Rule 64E-5.652, F.A.C., NRC or equivalent Aagreement Sstate requirements; or

(2)(a) Have completed 24 hours of classroom and laboratory training applicable to the medical use of strontium-90 for ophthalmic radiotherapy. The training must include the following:

1. through 4. No change.

(b) No change.

(c) Have obtained written attestation, signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rule 64E-5.657, 64E-5.652 or 64E-5.653, F.A.C., NRC or equivalent Aagreement Sstate requirements, that the individual has satisfactorily completed the requirements in paragraphs 64E-5.653(2)(a) and 64E-5.653(2)(b), F.A.C., of this section and have demonstrated the ability to function independently as an authorized user to fulfill the radiation safety related duties for a medical use licensee authorized for strontium-90 for ophthalmic use.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.773, Amended 2-11-10, _____.

64E-5.654 Training for Use of Sealed Sources for Diagnosis.

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require the authorized user of a sealed source in a device specified in Rule 64E-5.631, F.A.C., to be a physician, dentist, or podiatrist:

(1) through (3) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.774, Amended 2-11-10, _____.

64E-5.655 Training for Use of Remote Afterloader Units, Teletherapy Units, and Gamma Stereotactic Radiosurgery Units.

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require the authorized user of a sealed source specified in Rule 64E-5.634, F.A.C., to:

(1) No change.

(2)(a) Have completed a structured educational program in basic radionuclide techniques applicable to the use of a sealed source in a therapeutic medical unit that includes the following:

1. No change

2. 500 hours of work experience, under the supervision of an authorized user who meets the requirements in Rule 64E-5.657 or 64E-5.655, F.A.C., NRC or equivalent Aagreement Sstate requirements at a medical institution, clinic, or private practice facility, involving the following:

a. through f. No change.

(b) Have completed 3 years of supervised clinical experience in radiation therapy, under an authorized user who meets the requirements in Rule 64E-5.657 or 64E-5.655, F.A.C., NRC or equivalent Aagreement Sstate requirements as part of a formal training program approved by the Residency Review Committee for Radiation Oncology of the Accreditation Council for Graduate Medical Education or the Royal College of Physicians and Surgeons of Canada or the Committee on Postdoctoral Training of the American Osteopathic Association. This experience may be obtained concurrently with the supervised work experience required by subparagraph 64E-5.655(2)(a)2., F.A.C., of this section; and

(c) Have obtained written attestation that the individual has satisfactorily completed the requirements in paragraph 64E-5.655(1)(a) or 64E-5.655(2)(a) and 64E-5.655(2)(b) and subsection 64E-5.655(3), F.A.C., of this section, and have demonstrated the ability to function independently as an authorized user to fulfill the radiation safety related duties for a medical use licensee for each type of therapeutic medical unit for which the individual is requesting authorized user status. The written attestation must be signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rule 64E-5.657 or 64E-5.655, F.A.C., NRC or equivalent Aagreement Sstate requirements for an authorized user for each type of therapeutic medical unit for which the individual is requesting authorized user status; and

(3) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.775, Amended 2-11-10, _____.

64E-5.656 Training for an Authorized Medical Physicist.

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require the authorized medical physicist to:

(1) No change.

(2)(a) No change.

(b) Have obtained written attestation that the individual has satisfactorily completed the requirements in subsection 64E-5.656(3) and paragraphs 64E-5.656(1)(a) and (b) or 64E-5.656(2)(a) and subsection 64E-5.656(3), F.A.C., of this section, and have demonstrated the ability to function independently as an authorized medical physicist to fulfill the radiation safety related duties for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status. The written attestation must be signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rule 64E-5.656 or 64E-5.657, F.A.C., NRC or equivalent Aagreement Sstate requirements, for an authorized medical physicist for each type of therapeutic medical unit for which the individual is requesting authorized medical physicist status; and

(3) No change.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 8-25-91, Formerly 10D-91.776, Amended 2-11-10, _____.

64E-5.660 Training for Use of Unsealed Radioactive Material for Which a Written Directive Is Required in Rule 64E-5.626, 64E-5.627 or 64E-5.630, F.A.C.

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require the authorized user of unsealed radioactive materials specified in Rule 64E-5.626, 64E-5.627 or 64E-5.630, F.A.C., which require a written directive to:

(1) No change.

(2)(a) Have completed 700 hours of training and experience, including a minimum of 200 hours of classroom and laboratory training, in basic radionuclide handling techniques applicable to the medical use of unsealed radioactive material requiring a written directive. The training and experience must include the following:

1. No change.

2. Work experience, under the supervision of an authorized user who meets the requirements in Rule 64E-5.657 or 4E-5.660, F.A.C., NRC or equivalent Aagreement Sstate requirements. A supervising authorized user, who meets the requirements in subsection 64E-5.660(2), F.A.C., must also have experience in administering dosages in the same dosage category or categories (*i.e.*, sub-subparagraph 64E-5.660(2)(a)2.g., F.A.C.,) as the individual requesting authorized user status. The work experience must involve the following:

a. through g. No change.

(b) Have obtained written attestation that the individual has satisfactorily completed the requirements in paragraph 64E-5.660(1)(a), sub-subparagraph 64E-5.660(2)(a)2.g. or paragraph 64E-5.660(2)(a), F.A.C., of this section, and have demonstrated the ability to function independently as an authorized user to fulfill the radiation safety related duties for a medical use licensee authorized under Rule 64E-5.626, 64E-5.627 or 64E-5.630, F.A.C., that require a written directive. Have obtained written attestation, signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rule 64E-5.657 or 64E-5.660, F.A.C., NRC or equivalent Aagreement Sstate requirements. The preceptor authorized user, who meets the requirements in subsection 64E-5.660(2), F.A.C., must have experience in administering dosages in the same dosage category or categories specified in sub-sub-subparagraph 64E-5.660(2)(a)2.g.(II), F.A.C., as the individual requesting authorized user status.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 2-11-10, Amended _____.

64E-5.661 Training for the Oral Administration of Sodium Iodide I-131 Requiring a Written Directive in Quantities Less Than or Equal to 1.22 Gigabecquerels (33 Millicuries).

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require an authorized user for the oral administration of sodium iodide I-131 requiring a written directive in quantities less than or equal to 1.22 Gigabecquerels (33 millicuries), to:

(1) through (2) No change.

(3)(a) No change.

(b) Have work experience, under the supervision of an authorized user who meets the requirements in Rule 64E-5.657, 64E-5.660, 64E-5.661 or 64E-5.662, F.A.C., NRC or equivalent Aagreement Sstate requirements. A supervising authorized user who meets the requirements in subsection 64E-5.660(2), F.A.C., must also have experience in administering dosages as specified in sub-sub-subparagraph 64E-5.660(2)(a)2.g.(I) or 64E-5.660(2)(a)2.g.(II), F.A.C. The work experience must involve the following:

1. through 6. No change.

(c) Have obtained written attestation that the individual has satisfactorily completed the requirements in paragraphs 64E-5.661(3)(a) and 64E-5.661(3)(b), F.A.C., of this section, and have demonstrated the ability to function independently as an authorized user to fulfill the radiation safety related duties for a medical use licensee that required a written directive under Rule 64E-5.626, 64E-5.627 or 64E-5.630, F.A.C. Have obtained written attestation, signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rule 64E-5.657, 64E-5.660, 64E-5.661 or 64E-5.662, F.A.C., NRC or equivalent Aagreement Sstate requirements. A preceptor authorized user, who meets the requirement in subsection 64E-5.660(2), F.A.C., must also have experience in administering dosages as specified in sub-sub-subparagraph 64E-5.660(2)(a)2.g.(I) or 64E-5.660(2)(a)2.g.(II), F.A.C.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 2-11-10, Amended _____.

64E-5.662 Training for the Oral Administration of Sodium Iodide I-131 Requiring a Written Directive in Quantities Greater Than 1.22 Gigabecquerels (33 Millicuries).

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require an authorized user for the oral administration of sodium iodide I-131 requiring a written directive in quantities greater than 1.22 Gigabecquerels (33 millicuries), to:

(1) No change.

(2) Be an authorized user under Rule 64E-5.660, F.A.C., for uses listed in sub-sub-subparagraph 64E-5.660(2)(a)2.g.(II), F.A.C., NRC or equivalent Aagreement Sstate requirements; or

(3)(a) No change.

(b) Have work experience, under the supervision of an authorized user who meets the requirements in Rules 64E-5.657, 64E-5.660 or 64E-5.662, F.A.C., NRC or equivalent Aagreement Sstate requirements. A supervising authorized user, who meets the requirements in subsection

64E-5.660(2), F.A.C., must also have experience in administering dosages as specified in sub-sub-subparagraph 64E-5.660(2)(a)2.g.(II), F.A.C. The work experience must involve the following:

1. through 6. No change.

(c) Have obtained written attestation that the individual has satisfactorily completed the requirements in paragraphs 64E-5.662(3)(a) and 64E-5.662(3)(b), F.A.C., of this section, and have demonstrated the ability to function independently as an authorized user to fulfill the radiation safety related duties for a medical use licensee authorized under Rule 64E-5.626, 64E-5.627 or 64E-5.630, F.A.C., that require written directives. Have obtained written attestation, signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rule 64E-5.657, 64E-5.660 or 64E-5.662, F.A.C., NRC or equivalent Aagreement Sstate requirements. A preceptor authorized user, who meets the requirements in subsection 64E-5.660(2), F.A.C., must also have experience in administering dosages as specified in sub-sub-subparagraph 64E-5.660(2)(a)2.g.(II), F.A.C.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 2-11-10, Amended _____.

64E-5.663 Training for the Parenteral Administration of Unsealed Radioactive Material Requiring a Written Directive.

Except as provided in Rule 64E-5.657, F.A.C., the licensee shall require an authorized user for the parenteral administration requiring a written directive, to:

(1) Be an authorized user under Rule 64E-5.660, F.A.C., for uses listed in sub-sub-subparagraph 64E-5.660(2)(a)2.g.(III) or 64E-5.660(2)(a)2.g.(IV), F.A.C., NRC or equivalent Aagreement Sstate requirements; or

(2) Be an authorized user under Rule 64E-5.652 or 64E-5.655, F.A.C., NRC or equivalent Aagreement Sstate requirements and who meets the requirements in subsection 64E-5.663(4), F.A.C. of this section; or

(3) No change.

(4)(a) No change.

(b) Have work experience, under the supervision of an authorized user who meets the requirements in Rule 64E-5.657, 64E-5.660 or 64E-5.663, F.A.C., NRC or equivalent Aagreement Sstate requirements, in the parenteral administration, for which a written directive is required, of any beta emitter, or any photon-emitting radionuclide with a photon energy less than 150 keV, and/or parenteral administration of any other radionuclide for which a written directive is required. A supervising authorized user who meets the requirements in Rule 64E-5.660, F.A.C., NRC or equivalent Aagreement Sstate requirements, must have experience in administering dosages as specified in sub-sub-subparagraph 64E-5.660(2)(a)2.g.(III) or 64E-5.660(2)(a)2.g.(IV), F.A.C., NRC or equivalent Aagreement Sstate requirements. The work experience must involve the following:

1. through 6. No change.

(c) Have obtained written attestation that the individual has satisfactorily completed the requirements in subsection 64E-5.663(2) or 64E-5.663(3), F.A.C., of this section, and have demonstrated the ability to function independently as an authorized user to fulfill the radiation safety related duties for a medical use licensee authorized for the parenteral administration of unsealed radioactive material requiring a written directive. Have obtained written attestation, signed by a preceptor authorized user or a residency program director who represents a consensus of residency program faculties (as long as at least one member of the residency program faculty is an authorized individual in the same category designated by the applicant seeking authorized status) who meets the requirements in Rule 64E-5.657, 64E-5.660 or 64E-5.663, F.A.C., NRC or equivalent Aagreement Sstate requirements. A preceptor authorized user, who meets the requirements in Rule 64E-5.660, F.A.C., must have experience in administering dosages as specified in sub-sub-subparagraph 64E-5.660(2)(a)2.g.(III) or 64E-5.660(2)(a)2.g.(IV), F.A.C.

Rulemaking Authority 404.022, 404.051, 404.061, 404.071, 404.081, 404.141 FS. Law Implemented 404.022, 404.051(1), (4), (5), (6), (8), (9), (10), (11), 404.061(2), (3), 404.071(1), 404.081, 404.141 FS. History–New 2-11-10, Amended _____.

64E-5.810 Ventilation Systems.

(1) Means shall be provided to ensure that personnel entering any area where airborne radioactivity may be produced will not be exposed to concentrations in excess of the limits specified in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table I, Column 3.

(2) A registrant shall not vent, release or otherwise discharge airborne radioactive material to an uncontrolled area in concentrations which exceed the limits specified in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table II, Column 1, except as authorized pursuant to Rule 64E-5.329, F.A.C. For purposes of this paragraph, concentrations may be averaged over a period not greater than 1 year. Every reasonable effort should be made to maintain releases of radioactive material to uncontrolled areas as far below these limits as reasonably achievable.

Rulemaking Authority 404.051, 404.061, 404.081 FS. Law Implemented 404.022, 404.051(1), (4), 404.061(1), 404.081(1) FS. History–New 7-17-85, Amended 1-1-94, Formerly 10D-91.912, Amended _____.

64E-5.1115 Subsurface Tracer Studies.

(1) through (2) No change.

(3) No licensee shall inject radioactive material into any well unless it can be demonstrated to the Department that the procedure will not result in any liquids or gases distributed to the public exceeding the following criteria:

(a) For gases, the air concentration in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table II, Column 1, shall apply.

(b) For liquids, the water concentration values in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table II, Column 2, shall apply.

Rulemaking Authority 404.051, 404.061 FS. Law Implemented 404.022, 404.031, 404.051(1), (4), 404.061(2) FS. History–New 7-17-85, Amended 1-1-94, Formerly 10D-91.1216, Amended _____.

64E-5.1317 Storage and Control of Volatiles and Gases.

(1) No change.

(2) Unless otherwise specified in the license, a licensee shall store and use radioactive volatiles and gases in a properly functioning glove box or fume hood that will maintain airborne concentrations within the limits prescribed by State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table I, Column 2, and Table II, Column 1.

(3) No change.

Rulemaking Authority ~~404.022, 404.042,~~ 404.051, 404.061, 404.071, 404.081 FS. Law Implemented 404.022, ~~404.042,~~ 404.051(1), (4), (6), (9), (10), 404.061(2), (3), 404.071(1), 404.081(1) FS. History–New 5-12-93, Amended 1-1-94, Formerly 10D-91.1423, Amended _____.

64E-5.1419 Radiation Surveys.

(1) through (4) No change.

(5) Water from the irradiator pool or other potentially contaminated liquids and sediments from pool vacuuming must be monitored for radioactive contamination before release to unrestricted areas. Radioactive concentrations must not exceed those specified in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table II, Column 2, or Table III, as applicable. The lower limit of detection for the measurements must be below those concentrations.

(6) No change.

Rulemaking Authority 404.051(4) FS. Law Implemented 404.051(1), (5), (6), 404.061, 404.081, 404.141 FS. History–New 8-14-96, Formerly 10D-91.1519, Amended _____.

64E-5.1420 Detection of Leaking or Contaminated Sources.

(1) through (3) No change.

(4) If a leaking source is detected, the licensee shall remove the leaking source from service and have it decontaminated, repaired, or disposed of by a licensee of the Ddepartment, NRC ~~U.S. Nuclear Regulatory Commission~~, Aagreement Sstate or Llicensing Sstate authorized to perform these functions. The licensee shall check its personnel, equipment, facilities, and irradiated product promptly for radioactive contamination. No product shall be shipped until the product has been checked and found free of contamination. If a product has been shipped that could have been contaminated inadvertently, the licensee shall arrange to locate and survey that product for contamination. If any personnel are contaminated, decontamination must be performed promptly. If contaminated equipment, facilities, or products are found, the licensee shall have them decontaminated or disposed of by a licensee of the Ddepartment, NRC ~~U.S. Nuclear Regulatory Commission~~, Aagreement Sstate or Llicensing Sstate authorized to perform these functions. If the pool water is contaminated, the licensee shall clean the pool water until the contamination levels do not exceed the appropriate concentration in State of Florida Bureau of Radiation Control ALIs, DACs, and Effluent Concentrations, June 2012 ~~July 1993~~, Table II, Column 2.

Rulemaking Authority 404.051(4) FS. Law Implemented 404.051(1), (5), (6), 404.061, 404.081, 404.141 FS. History–New 8-14-96, Formerly 10D-91.1520, Amended _____.

64E-5.1501 Purpose and Scope.

(1) No change.

(2) Determinations and listings of A_1 and A_2 values are found in 10 C.F.R., Part 71, Appendix A as published on 01/01/2012 ~~01/01/2007~~ which is herein incorporated by reference and can be obtained from the internet at _____ or at http://www.gpo.gov/fdsys/pkg/CFR-2012-title10-vol2/pdf/CFR-2012-title10-vol2-part71.pdf.

(3) through (4) No change.

Rulemaking Authority 404.051, 404.20 FS. Law Implemented 404.022, 404.051(1), (4), (6), (11), 404.20(1) FS. History–New 7-17-85, Amended 5-15-96, Formerly 10D-91.2001, Amended 2-28-08, _____.

64E-5.1502 Transportation of Radioactive Material.

(1) No change.

(2) Each licensee who transports radioactive material outside of the confines of his facility or other place of use, or who offers radioactive material to a carrier for transport shall:

(a) Comply with the current applicable requirements, appropriate to the mode of transport, of 49 C.F.R. Parts 107, 171-180, 383, 390-397 published on 10/01/2012 ~~10/01/2007,~~

which is herein incorporated by reference and can be obtained from the internet at _____ or at http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR&searchPath=Title+49%2FSubtitle+B&oldPath=Title+49&isCollapsed=true&selectedYearFrom=2012&ycord=1546 and 10 C.F.R. Part 71 published on 01/01/2012 ~~10/01/2007~~ which is herein incorporated by reference and can be obtained from the internet at _____ or at http://www.gpo.gov/fdsys/pkg/CFR-2012-title10-vol2/pdf/CFR-2012-title10-vol2-part71.pdf, and 10 C.F.R. Parts 73.72 through 73.74 published on 01/01/2012 which is herein incorporated by reference and can be obtained from the internet at _____ or at http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR&searchPath=Title+10%2FChapter+I%2FPart+73%2FSubjgrp&oldPath=Title+10%2FChapter+I%2FPart+73%2FSubjgrp&isCollapsed=true&selectedYearFrom=2012&ycord=1772.

(b) through (e) No change.

(3) No change.

Rulemaking Authority 404.051, 404.061, 404.141, 404.20 FS. Law Implemented 404.022, 404.051(1), (4), (6), (11), 404.061(2), 404.141, 404.20(1) FS. History–New 7-17-85, Formerly 10D-91.2003, Amended 10-8-00, 9-28-06, 2-28-08, _____.

Posting of the American National Standards Institute (ANSI) Standard, ANSI-HPS N43.8-2008, "Classification of Industrial Ionizing Radiation Gauging Devices;" ANSI Standard, ANSI-HPS N43.4-2005, "Classification of Radioactive Self-Luminous Light Sources;" and ANSI Standard N432-1980, NBS Handbook 136, "Radiological Safety for the Design and Construction of Apparatus for Gamma Radiography," on the internet for purposes of public examination and inspection would constitute a violation of federal copyright law. These materials are available for public inspection and examination at the Florida Department of State, R.A. Gray Building, 507 South Bronough Street, Tallahassee, Florida 32399-0250, and the Florida Department of Health, Bureau of Radiation Control, 4042 Bald Cypress Way, Tallahassee, Florida 32399-1741.

NAME OF PERSON ORIGINATING PROPOSED RULE: Cynthia Becker, Bureau Chief, Bureau of Radiation Control

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General & Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 26, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 14, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.:	RULE TITLE:
68D-24.006	Fort Lauderdale Boating Restricted Areas

PURPOSE AND EFFECT: The purpose is to repeal this rule and incorporate the provisions of the Fort Lauderdale Boating Restricted Areas Rule into Rule 68D-24.008, F.A.C., Broward County Boating Restricted Areas. This will provide consistency and ease of location for vessel speed regulations in the Florida Intracoastal Waterway in Broward County.

SUMMARY: The rule is to be repealed.

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: The rule is being repealed and transferred into 68D-24.008, F.A.C.

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: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 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: Captain Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-24.006 Fort Lauderdale Boating Restricted Areas.

Rulemaking ~~Specific~~ Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History–New 11-13-83, Formerly 16N-24.06, Amended 3-12-87, 12-7-89, Formerly 16N-24.006, Amended 9-28-98, Formerly 62N-24.006, Repealed _____ .

NAME OF PERSON ORIGINATING PROPOSED RULE: Captain Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 1, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.:	RULE TITLE:
68D-24.008	Broward County Boating Restricted Areas

PURPOSE AND EFFECT: The purpose of this rule amendment is to reduce vessel speeds on the Florida Intracoastal Waterway within Broward County where necessary to manage and promote the use of this state waterway for safe boating. Specifically, the effect of this rule amendment is to make minor increases to the footprint of the zones found in (1)(a)1.,(a) 2.a., (a)5. and (a)14., formally (a)9., to match historical boundaries established by regulatory markers. The effect is also to transfer Rule 68D-24.006, F.A.C., Fort Lauderdale Boating Restricted Areas, into Rule 68D-24.008, F.A.C. Additionally, the effect is to make minor technical changes to provide clarity throughout the rule to the order of the geographic descriptions and the restricted speed terminology as well as updating all the rule maps and removing the authority for Broward County to mark the zones. Also, the effect is to include rule language that excludes water bodies such as canals and boat basins from shoreline to shoreline boating restricted areas.

SUMMARY: This rule amendment extends five (5) zones in the Florida Intracoastal Waterway in Broward County. The amendment also transfers zones currently found in Rule 68D-24.006, updates the rule maps, modifies the order of the geographic descriptions and restricted speed terminology, removes the authority for Broward County to mark the zones and includes language to exclude water bodies such as canals and boat basins.

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: The proposed rule will match zone boundaries established in the rule to historical boundaries established by regulatory markers.

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: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46, 327.72, 327.73(1) FS., Ch. 86-364, Ch. 89-428, Laws of Florida.

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: Captain Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-24.008 Broward County Boating Restricted Areas.

(1) For the purpose of regulating speed and operation of vessels ~~and for the purpose of alleviating public safety problems arising from increased vessels~~ traffic on and adjacent to the Florida Intracoastal Waterway in Broward County, Florida, the following year-round boating restricted areas are established. The boating restricted areas exclude all associated tributaries, creeks, canals, backwaters, channels, boat basins and other waterways unless otherwise designated or specifically described for inclusion:

(a)1. Hillsboro Boulevard Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal W~~w~~aterway 750 feet north of the Hillsboro Boulevard Bridge and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal W~~w~~aterway 825 ~~625~~ feet south of said bridge as depicted in drawing A.

2. Hillsboro Inlet Zones –

a. An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, ~~from shoreline to shoreline~~ bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 100 ~~9,750~~ feet north of latitude 26° 17.339’ North, longitude 80° 4.842’ West (approximately located at Channel Marker “68”) ~~the intersection of the centerline of the Hillsboro Inlet channel and the centerline of~~

~~the Florida Intracoastal Waterway~~, and on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,050 feet southwest of the intersection of the centerline of the Hillsboro Inlet channel and the centerline of the Florida Intracoastal Waterway, as depicted in drawing B.

b. A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, ~~from shoreline to shoreline~~ and including all waters of the Hillsboro Inlet, bounded on the northwest by a line drawn from headland to headland across the northwestern end of the Hillsboro I~~i~~nlet at its confluence with the Florida Intracoastal Waterway, and on the southeast by a line drawn perpendicular to the centerline of the inlet channel 150 feet northwest of the seaward extremities of the Hillsboro Inlet jetties, as depicted in drawing B.

c. A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, ~~from shoreline to shoreline~~ bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,050 feet south of the intersection of the centerline of the Hillsboro Inlet channel and the centerline of the Florida Intracoastal Waterway and on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,425 feet north of the North East 14th Street Bridge in Pompano Beach, as depicted in drawing B.

3. North East 14th Street Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, ~~from shoreline to shoreline~~ bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,425 feet north of the North East 14th Street Bridge in Pompano Beach and on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of said bridge, as depicted in drawing B.

4. Atlantic Boulevard Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the waterway 1,350 feet north of the Atlantic Boulevard Bridge and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal W~~w~~aterway 500 feet south of said bridge, as depicted in drawing C.

5. East Commercial Boulevard Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal W~~w~~aterway 750 feet north of the East Commercial Boulevard Bridge and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal W~~w~~aterway 700 ~~600~~ feet south of said bridge, as depicted in drawing D.

6. Oakland Park Boulevard Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, and extending 1,500 feet north and south of the Oakland Park Boulevard Bridge, as depicted in drawing E.

7. Sunrise Boulevard Bridge –

a. An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 2,250 feet north of the Sunrise Boulevard Bridge to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,500 feet south of said bridge, as depicted in drawing F.

b. A Slow Speed Minimum Wake zone to be in effect year-round on Saturdays, Sundays and holidays as defined in Rule 68D-24.002, F.A.C., from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,500 feet south of the Sunrise Boulevard Bridge to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,500 feet north of the East Las Olas Bridge, as depicted in drawing F.

8. East Las Olas Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,500 feet north of the East Las Olas Bridge to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 3,300 feet south of said bridge, as depicted in drawing F.

9. Stranahan River – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 3,300 feet south of the East Las Olas Bridge to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,500 feet north of the 17th Street Causeway Bridge, as depicted in drawing G.

10. 17th Street Causeway Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,500 feet north of the 17th Street Causeway Bridge to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 800 feet south of said bridge, as depicted in drawing G.

11.~~6.~~ Dania Beach Boulevard Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 850 feet north of the Dania Beach Boulevard Bridge and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,940 feet south of said bridge, as depicted in drawing H~~F~~.

12.~~7.~~ Sheridan Street Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway, 850 feet north of the Sheridan Street Bridge and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 750 feet south of said bridge, as depicted in drawing I~~F~~.

13.~~8.~~ Hollywood Boulevard Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway ~~at~~ 2,570 feet south of the Sheridan Street Bridge and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 740 feet south of the Hollywood Boulevard Bridge, as depicted in drawing J~~G~~.

14.~~9.~~ Hallandale Beach Boulevard Zones –

a. An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 2,800 feet north of the Hallandale Beach Boulevard Bridge and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway ~~1,850~~1,325 feet north of said bridge, as depicted in drawing K~~H~~.

b. A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the Hallandale Beach Boulevard Bridge and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway ~~300~~400 feet south of said bridge, as depicted in drawing K~~H~~.

(b) Thirty (30) miles per hour/fifteen inch (15") wake zone –

1. This paragraph applies to all waters of the New River Canal and the Florida Intracoastal Waterway within Broward County.

2. Except where other speed limits or operation restrictions have been lawfully established, the maximum speed on these waters is thirty (30) miles per hour.

a. Any person who operates a vessel in excess of the thirty (30) miles per hour maximum speed limit is guilty of a noncriminal infraction, punishable by a civil penalty. The amount of the civil penalty shall be computed in accordance with the provisions pertaining to penalties for unlawful speed under Section 318.18(3), F.S.

b. For the purposes of enforcement of this subparagraph, law enforcement officers may use aircraft, vessels, manual or electronic timing devices, or radar. If radar is used, the provisions of Section 316.1906, F.S., shall be complied with.

c. This subparagraph shall not be interpreted to mean that thirty (30) miles per hour is a safe speed for all vessels under all circumstances. Inland Navigation Rule 6, as adopted pursuant to subsection 327.33(3), F.S., requires that every vessel shall at all times be operated at a safe speed. Compliance with Inland Navigation Rule 6 may require speeds well under thirty (30) miles per hour.

3. The maximum allowable wake created by any vessel on these waters, regardless of the speed or size of the vessel, is fifteen inches (15") in vertical height, measured from the ambient tide level to the crest of the vessel's wake at a distance of not less than twenty-five feet (25') from the vessel. Violation of this subparagraph is a misdemeanor of the second degree, punishable as provided in Section 775.082 or 775.083, F.S. For purposes of enforcement of this subparagraph, law enforcement officers may use mechanical, electronic, or photographic measuring devices.

4. No person may operate any vessel on these waters in such a manner as to exceed a maximum sound level of eighty (80) dBA, measured at a distance of not less than fifty feet (50') from the vessel. Violation of this subparagraph, or refusal to submit to a sound level test when requested to do so by a law enforcement officer is a misdemeanor of the second degree as provided in Chapter 89-428, Laws of Florida, punishable as provided in Section 775.082 or 775.083, F.S.

(2) Exemption – This rule section shall not apply to any person operating a vessel as a participant in, or during officially sanctioned trial runs preceding or following, a lawfully permitted regatta or boat race.

~~(3) Broward County is authorized to install and maintain appropriate regulatory markers as directed by the Division of Law Enforcement within such boating restricted areas.~~

(3)~~(4)~~ The boating restricted areas described in Rule 68D-24.008 are depicted on the following drawings:

NOTE: TO VIEW THE TABLE FOR THIS RULE GO TO THE WORD VERSION LOCATED IN SECTION II Vol. 39, No. 77.

Rulemaking ~~Specific~~ Authority 327.04, 327.46, ~~370.021~~ FS. Law Implemented 327.46, 327.72, 327.73(1) FS., Ch. 86-364, Ch. 89-428, Laws of Florida. History–New 11-9-86, Amended 6-14-93, Formerly 16N-24.008, Amended 12-18-94, Formerly 62N-24.008, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Captain Richard Moore, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 1, 2013

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.:	RULE TITLE:
61-35.012	Electrical Contractors' Departmental 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. 39, No. 33, February 18, 2013 issue of the Florida Administrative Register.

The following changes have been made to the materials incorporated within this section:

Form DBPR ECLB 1-5: The “Business Entity Affidavit” section was renamed “Qualifier Information” and the applicant is no longer requested to “affirm”. The accompanying instructions were also removed/edited.

Form DBPR ECLB 1-2: The citations were corrected within the “Qualification for Licensure” section.

Form DBPR ECLB 1-2: Letters requested to verify self-employed applicant’s experience no longer needs to be notarized.

The rule text incorporating forms DBPR ECLB 1-5 will be corrected to reflect an effective date of 2013 April.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-24.201: Year-Round Landscape Irrigation Conservation Measures

The South Florida Water Management District hereby gives notice that on April 11, 2013, the Governing Board issued an Order Granting Variance under Section 120.542, Fla. Stat., (Order No. 2013-033-DAO-WU) to the Henry M. Flagler Museum, in Palm Beach County. The Petition for Variance was received by the District on February 26, 2013. Notice of receipt of the petition requesting the variance was published in the Florida Administrative Register, Vol. 39, No. 48, on March 11, 2013. No public comment was received. Specifically the Order grants a Variance from subsection 40E-24.201(7), Florida Administrative Code (Fla. Admin. Code), which states that irrigation of existing landscape, shall be conducted on specific days. Generally, the Order sets forth the basis of the District's decision to grant the Variance, as follows: 1) the Petitioner has demonstrated that the use of the advanced technology irrigation system on its specified property is likely to achieve the purpose of the statutes underlying subsection 40E-24.201(7), Fla. Admin. Code; 2) the Petitioner has demonstrated that it will experience substantial technological hardship if it is required to comply; 3) the District has reasonable assurance that the granting of this Variance will be consistent with statutory requirements.

A copy of the Order or additional information may be obtained by contacting: The South Florida Water Management District's Water Resource Regulation Department during normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406-4680, (561)682-6911 or by e-mail to: permits@sfwmd.gov or by accessing the District's website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

NOTICE IS HEREBY GIVEN that on April 9, 2013, the Agency for Health Care Administration received a petition for Variance from or Waiver of Rule 59G-4.250, F.A.C. ("Petition") from Walgreen Co. Rule 59G-4.250, Florida Administrative Code, entitled Prescribed Drug Services, requires that all participating prescribed drug services providers enrolled in the Medicaid program must be in compliance with the provisions of the Florida Medicaid Prescribed Drug Services Coverage, Limitations, and Reimbursement Handbook ("Handbook"), updated May 2008. Walgreen Co. seeks to preserve the enrollment of certain newly acquired specialty pharmacies in the Florida Medicaid program that have not yet received their Drug Enforcement Administration ("DEA") registrations. Walgreen Co. seeks a variance or waiver from the portion of the Handbook which lists DEA registrations as one of the items needed for enrollment as a prescribed drug services provider.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, MS 3,

Tallahassee, Florida 32308. Written comments on the Petition may be submitted to the Agency Clerk at the address above within fourteen (14) days after publication of this notice.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-11.007: Definition of "Licensed Clinical Social Worker, or the Equivalent, Who Is a Qualified Supervisor."

NOTICE IS HEREBY GIVEN that on April 18, 2013, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for Leticia Calderon and Denise Stoddard, seeking a variance or waiver of paragraph 64B4-11.007(3)(a), F.A.C., which requires that a qualified supervisor who provides supervision in Florida for interns and trainees must meet equivalency standards of subsection (1); and have completed four (4) years of clinical social work experience, two (2) years of which can be earned during a post-masters clinical internship with the remaining two (2) years of experience earned post-licensure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Commission for Independent Education

The Commission for Independent Education announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2013 – Commission meeting beginning at 8:00 a.m.

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, Florida 32746

GENERAL SUBJECT MATTER TO BE CONSIDERED: On May 14, 2013 beginning at 8:00 a.m. the Commission for Independent Education will consider: All Degree Granting Institutions and Non-Degree granting institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Application for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Applications for Exemption for Religious Colleges, and the General Business of the Commission.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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).

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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The Water Resource Advisory Commission (WRAC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2013, 9:00 a.m.

PLACE: SFWMD, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087, jmcgorty@sfwmd.gov.

or at our website: http://my.sfwmd.gov/wrac.gov.

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: Jacki McGorty, (561)682-2087. 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: Jacki McGorty, (561)682-2087, jmcgorty@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners announces a public meeting to which all persons are invited.

DATE AND TIME: May 2, 2013, 10:00 a.m.

PLACE: Four Seasons Resort, 2800 S. Ocean Blvd., Palm Beach, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions of which may be closed to the public.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N Monroe St, Tallahassee, FL 32399-0773.

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 Board office. 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).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

The Probable Cause Panel of the Real Estate Appraisal Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 1, 2013, 9:00 a.m., Eastern Time

PLACE: 400 West Robinson Street, Suite N901, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or Board counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772. Only public portions of the agenda are available upon request.

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 five (5) days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. 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 CHILDREN AND FAMILY SERVICES

Substance Abuse Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: April 29, 2013, 10:00 a.m.

PLACE: 1317 Winewood Blvd, Bldg 6, Room 335, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN #03H13GC1 – Preadmission Screening and Resident Review (PASRR).

Opening of Replies and Review of Mandatory Requirements – All replies received by the stated deadline will be opened and reviewed to determine compliance with the stated mandatory criteria.

A copy of the agenda may be obtained by contacting: Michele_staffieri@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Substance Abuse Program

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2013, 10:00 a.m.

PLACE: 1317 Winewood Blvd., Bldg 6, Room 335, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: ITN #03H13GC1 – Preadmission Screening and Resident Review (PASRR).

Meeting of Department Evaluators – All replies received in response to the ITN, and in compliance with the mandatory criteria, will be distributed to the Evaluators along with instructions for the review and scoring of the replies.

A copy of the agenda may be obtained by contacting: Michele_staffieri@dcf.state.fl.us.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Orange County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2013, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

Section VII
Notices of Petitions and Dispositions Regarding Declaratory Statements

NONE

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

Roof Replacement at Kirby-Smith Middle School No. 25/M-83800 Stage IV

DUVAL COUNTY PUBLIC SCHOOLS

ADVERTISEMENT FOR BIDS

Invitation To Bid

For a

Roofing Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D.

BIDS ARE DUE ON OR BEFORE May 21, 2013 AND WILL BE ACCEPTED UNTIL 2:00 P.M.

OFFICIAL PROJECT TITLE: Roof Replacement at Kirby-Smith Middle School No. 25,

DCSB PROJECT NO. M-83800, Stage IV

SCOPE OF WORK: Replace all deteriorated roofing on Building Nos. 1, 2, and 4 at Kirby-Smith Middle School No. 25. The estimated construction cost "Budgeted Not to Exceed" is $991,255.

Contract documents for bidding may be obtained at the office of: Ronald Scalisi Architects, P.A., 1309 St. Johns Bluff Road, Suite A-5, Jacksonville, Florida 32225/ (904)998-8861 for a fee of $75 per set.

Name of A/E Firm: Ronald Scalisi Architects, P.A., 1309 St. Johns Bluff Road, Suite A-5, Jacksonville, Florida 32225/ (904)998-8861

DCSB Point of Contact: Dale Hughes (904)858-6362

MBE Participation Goal: 10 % Participation

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on May 9, 2013, 9:00 a.m., 129 King Street, Room 37, Jacksonville, Florida 32204. Failure to attend the pre-bid conference shall result in disqualification of that firm’s proposal. Attendees will be required to sign an attendance register.

All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at www.duvalschools.org under http://www.duvalschools.org/static/aboutdcps/departments/facilities/general_documents.asp.

The project funding is subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids.

The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Call for Business Plans

FL Park Service is seeking concession operations at four (4) Florida State Parks in the Gasparilla Island/Charlotte Harbor Area. Mandatory on-site meetings 4/22/13 & 4/23/13. More info @ tinyurl.com/fpsConcessions.

Section XII
Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

State Plan Amendment

The Agency for Health Care Administration (AHCA) is submitting an amendment to the Medicaid State Plan. The amendment is a result of changes to the interagency agreement between AHCA and the Department of Children and Families (DCF) related to the responsibilities associated with Medicaid eligibility determinations performed by DCF. Some of the changes include:

1. Correcting federal and state agency names;

2. Removing obsolete references;

3. Adding a specific reference to PARIS (Public Assistance Reporting Information System); and

4. Adding language to clarify the processing of funds associated with benefit recovery activities.

For more information on the responsibilities associated with Medicaid eligibility determinations performed by DCF, interested parties may contact the following staff for further information:

Kathy Austin, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4193, e-mail: kathy.austin@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Revolving Fund Program

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

PANAMA CITY, FLORIDA

The Department of Environmental Protection has determined that the City of Panama City's proposed project to upgrade and expand the St. Andrews Wastewater Treatment Facility from 5.0 to 7.5 MGD will not have a significant adverse impact on the environment. The total estimated construction cost is $27 million. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. Public comment must be received at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bryan Goff, State Revolving Fund Program, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On April 16, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Megan Deanna Bramlett, L.P.N., License # PN 5206887. 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 Osteopathic Medicine

Emergency Action

On April 17, 2013, the State Surgeon General, issued an Order Vacating Order of Emergency Suspension of License with regard to the license of Scott David Yagger, D.O., License # 6133. The Department orders that the Emergency Suspension of License be vacated.

SARASOTA COUNTY PUBLIC HOSPITAL BOARD

Sarasota County Public Hospital District

NOTICE PURSUANT TO SECTION 155.40(5)(e)1., FLORIDA STATUTES

On March 18, 2013, the elected board members of the governing board of the Sarasota County Public Hospital District (the "Board") held a public hearing to determine, in accordance with Florida Statute §155.40, whether the Sarasota County Public Hospital District should continue to own and operate its hospital/health system, or whether it should be operated by a for-profit or a not-for-profit entity. Based upon the totality of the information considered by the Board,including the valuation report by Ponder and Company, the comparisons of the operating costs and measurable quality outcomes between the hospital/healthsystem operated by the Sarasota County Public Hospital District and other similarly situated not-for-profit and for-profit hospitals/health systems with similar service mixes, comments from the community, comments by members of the Board, documents and letters received, and in the context of the strategic planning and stewardship activities conducted by the Board, the Board of the Sarasota County Public Hospital District made the following findings:

There is not a meaningful difference in the cost of operations between the District's hospital/health system and other similarly situated not-for-profit or for-profit hospitals/health systems with similar service mixes, using publicly available data provided by the Agency for Health Care Administration nor in the quality metrics identified by the Centers for Medicare and Medicaid Services' Core Measures;

It is more beneficial to taxpayers and the District's affected community for the District's hospital/health system, to be operated by a governmental entity, rather than be operated by a not-for-profit or for-profit entity with similar cost efficiencies and measurable outcomes as identified by the Centers for Medicare and Medicaid Services' Core Measures; and

There would not be a net benefit to the community to operate the District's hospital/health system as a not-for-profit or for-profit entity and use the proceeds of their sale or lease for the purposes described in Florida Statute 155.40(16).

For the above reasons, the Sarasota County Public Hospital District determines that it is in the best interest of the District's affected community for the District to continue to own and operate the District's hospital/health system, individually and collectively, as a public entity, rather than consider a sale or lease to a third party.

Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.