

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-8.041 Minimum Flows

PURPOSE AND EFFECT: The amendments establish minimum flows pursuant to Section 373.042, F.S., for the Pithlachascotee River. This water body is listed on the District's minimum flow and levels priority list for establishment of minimum flows. The minimum flows will be used in the District's permitting and resource management and development programs.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum flows for the Pithlachascotee River located within Pasco County, Florida.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 F.S.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 F.S.

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: SWFWMD Human Resources Director, (352)796-7211, ext. 4703; 1(800)423-1476 (FL only), ext. 4703, or email to ADACoordinator@swfwmd.state.fl.us. 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: Doug Leeper, MFL Program Lead, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4272. A2017066-3 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 EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.0021 Florida Teacher Certification Examinations

PURPOSE AND EFFECT: This rule amendment serves to adopt new Florida Teacher Certification Examinations (FTCE)

administration requirements, stating that examinees who receive a passing score on a given examination must wait at least three (3) years before retaking the same examination; adopt new passing scores effective July 1, 2018, for the Art K–12 and Exceptional Student Education K–12 examinations; and to update rule language to align with current practice. The effect will be new administration requirements to help protect test security and confidentiality; new passing score requirements for the affected examinations; and updated rule language.

SUMMARY: The rule is proposed for amendment to adopt new administration requirements to help protect test security and confidentiality and new passing score requirements for two (2) FTCE subject area examinations.

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: 1) no requirement for SERC was triggered under section 120.541(1), F.S., and; 2) no new fees are imposed in the proposed rule. Although an indeterminate increase in the number of examinees who are required to retake the examination(s) is predicted, the expected number of examinees and the resulting fees for the examinations will not approach the threshold for legislative ratification. The proposed rule is not expected to require legislative ratification pursuant to s. 120.541(3), F.S. The proposed rule is not expected to have any adverse impact on economic growth, private job creation, employment, or investment, or any adverse impact on transactional costs as noted above.

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: 1012.55, 1012.56, 1012.59, F.S.

LAW IMPLEMENTED: 1012.55, 1012.56, 1012.59, F.S.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Pinellas County School Board Office, 301 4th St., SW, Largo, FL 33770.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Chief, Bureau of

Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0021 Florida Teacher Certification Examinations.

(1) through (2) No change.

(3) Administration of the examinations.

(a) through (d) No change.

(e) An examinee may not retake a passed examination, subtest, or section unless:

1. At least three (3) years have elapsed since the previous administration of the passed examination, subtest, or section;

2. The State Board of Education has adopted new competencies and skills for the field; or

3. The examinee has applied for reinstatement of an expired professional certification, pursuant to 6A-4.0051 (7), FAC.

(4) No change.

(5) Admission. The test administration agency shall provide each applicant with electronic communication ~~an admission ticket~~ specifying the examination site, date, and the time of the examination. This communication will also stipulate ~~The admission ticket and other~~ identification ~~are~~ required for entrance into the examination site. ~~Additional identification shall be specified on the admission ticket.~~ An applicant who arrives after the examination has begun shall not be admitted. An applicant, who has registered for multiple examinations or subtests for the same day and arrives late, shall only be admitted at the start of the next examination or subtest.

(6) through (8) No change.

(9) Scoring of the subject area specialty examinations.

(a) through (z) No change.

(aa) Effective July 1, 2018, the passing score for the subject area specialty examinations listed below shall be a scaled score of at least two hundred (200). This scaled score shall be equivalent to the following raw scores on the test forms used for standard setting and administered between September and December 2017:

SUBJECT	SCORE
Art K-12	75 correct items
Exceptional Student Education K-12	80 correct items

(bb) ~~(aa)~~ The Commissioner of Education shall review the passing score for each of the General Knowledge Subtests, each of the subject area specialty examinations, and the professional education test not less than once every five (5) years and determine whether to recommend to the State Board of Education to maintain or change the existing passing scores.

(10) No change.

(11) Review.

(a) No change.

(b) Score Verification Sessions. An examinee who fails one (1) or more examination(s) within ten (10) scale score points of the passing scale score (200) may review only those incorrect test items and/or performance component(s) contained within each examination meeting these criteria and bring to the Florida Department of Education’s attention, via the test administration agency, any scoring errors. The procedures for test review are listed below:

1. The examinee shall register for a score verification session within thirty (30) days of the date the score report was released by the test administration agency. At least thirty (30) days shall have elapsed from the administration of the failed examination before an examinee may attend a score verification session.

2. A processing fee is required for each score verification session. The fee shall be that amount necessary for the test administration agency to perform the services as agreed in the contract between the agency and the Florida Department of Education.

3. The examinee shall be provided electronic communication ~~an admission ticket~~ that contains the location, date and time for the examinee’s score verification session.

4. During the score verification session, the examinee shall file with the Florida Department of Education via the test administration agency a statement of specific scoring errors which may result in a scoring change ~~passing score~~.

5. through 7. No change.

(12) No change.

Rulemaking Authority 1012.55(1), 1012.56, 1012.59 FS. Law Implemented 1012.55, 1012.56, 1012.59 FS. History—New 8-27-80, Amended 1-11-82, 1-6-83, 5-3-83, 10-5-83, 10-15-84, Formerly 6A-4.021, Amended 12-25-86, 4-26-89, 4-16-90, 7-10-90, 4-22-91, 10-3-91, 8-10-92, 11-28-93, 4-12-95, 7-1-96, 9-30-96, 10-1-99, 7-17-00, 7-16-01, 3-24-02, 7-16-02, 3-24-03, 7-21-03, 12-23-03, 7-13-04, 5-24-05, 5-23-06, 5-21-07, 5-19-08, 7-21-08, 7-9-09, 6-22-10, 6-21-11, 11-22-11, 8-23-12, 5-21-13, 10-22-13, 2-25-14, 12-23-14, 7-28-15, 10-26-15, 7-26-16, 2-20-17, 8-20-17.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 6, 2018

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.00821 Florida Educational Leadership Examination

PURPOSE AND EFFECT: This rule amendment serves to adopt new Florida Educational Leadership Examination (FELE) administration requirements, stating that examinees who receive a passing score on a given examination must wait at least three (3) years before retaking the same examination, and to update the rule language to align with current practice. The effect will be new administration requirements to help protect test security and confidentiality, and updated rule language.

SUMMARY: The rule is proposed for amendment to adopt new administration requirements to help protect test security and confidentiality and new passing score requirements for two (2) FTCE subject area examinations.

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: 1) no requirement for SERC was triggered under section 120.541(1), F.S., and; 2) no new fees are imposed in the proposed rule. Although an indeterminate increase in the number of examinees who are required to retake the examination(s) is predicted, the expected number of examinees and the resulting fees for the examinations will not approach the threshold for legislative ratification. The proposed rule is not expected to require legislative ratification pursuant to s. 120.541(3), F.S. The proposed rule is not expected to have any adverse impact on economic growth, private job creation, employment, or investment, or any adverse impact on transactional costs as noted above.

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: 1012.56, 1012.59, F.S.

LAW IMPLEMENTED: 1012.56, 1012.59, F.S.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Pinellas County School Board Office, 301 4th St., SW, Largo, FL 33770.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Phil Canto, Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, 325 W. Gaines Street, Suite 414, Tallahassee, FL 32399, (850)245-0513.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.00821 Florida Educational Leadership Examination.

(1) through (2) No change.

(3) Administration of the examination.

(a) through (d) No change.

(e) An examinee may not retake a passed examination, subtest, or section unless:

1. At least three (3) years have elapsed since the previous administration of the passed examination, subtest, or section;

2. The State Board of Education has adopted new competencies and skills for the field; or

3. The examinee has applied for reinstatement of an expired professional certification, pursuant to 6A-4.0051 (7), FAC.

(4) No change.

(5) Admission. The test administration agency shall provide each applicant with electronic communication ~~an admission ticket~~ specifying the examination site, date, and time. This communication will also stipulate ~~The admission ticket and other~~ identification ~~are~~ required for entrance into the examination site. ~~The other identification shall be specified on the admission ticket.~~ An applicant who arrives after the examination has begun shall not be admitted until the start of the next subtest of the examination.

(6) through (9) No change.

(10) Review.

(a) No change.

(b) Score Verification Sessions. An examinee who fails one (1) or more subtests of the examination within ten (10) scale score points of the passing scale score (200) may review only those incorrect test items and performance assessments contained within each subtest of the examination meeting these criteria and bring to the Florida Department of Education's attention, via the test administration agency, any scoring errors which may result in a scoring change ~~passing score~~. The procedures for test review are as follows:

1. through 2. No change.

3. The examinee shall be provided electronic communication ~~an admission ticket~~ that contains the location, date and time for the examinee's score verification session.

4. During the score verification session, the examinee shall file with the Florida Department of Education via the test

administration agency a statement of specific scoring errors which may result in a scoring change ~~passing score~~.

5. through 7. No change.

Rulemaking Authority 1012.56, 1012.59 FS. Law Implemented 1012.56, 1012.59 FS. History—New 12-25-86, Amended 1-11-89, 5-19-98, 10-6-99, 7-17-00, 7-16-01, 3-24-02, 10-17-02, 3-24-03, 7-21-03, 6-22-04, 5-19-08, 7-21-08, 9-6-09, 12-16-12, 12-3-13, 12-23-14.

NAME OF PERSON ORIGINATING PROPOSED RULE: Juan Copa, Deputy Commissioner, Division of Accountability, Research and Measurement.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 6, 2018

DEPARTMENT OF CITRUS

RULE NO.: 20-9.002
 RULE TITLE: Processed Form

PURPOSE AND EFFECT: Amending rule to update conversion units used in calculating equivalent boxes for payment of equalization excise assessments in the case that the actual number of boxes cannot be substantiated by appropriate records. The figures are updated every three years using a five-year weighted average in order to ensure equivalent boxes are up to date and fair.

SUMMARY: Conversion units used in figuring equivalent boxes for payment of equalization excise assessments and housekeeping updates.

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: upon review of the proposed rule, the department has determined that the amendment will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(1), 601.15(1),(10)(a), 601.155(3),(7) FS.

LAW IMPLEMENTED: 601.15(5),(6), 601.155 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-9.002 Processed Form.

(1) No change.

(2) All persons or entities required to file excise assessment returns pursuant to s. 601.155, F.S., shall file, each week, an excise assessment return on forms furnished by the Department of Citrus (incorporated by reference in section 20-100.004, F.A.C.).

(a) All persons liable for the assessment imposed by this section shall file with the Department of Citrus, Form 4R - Equalization Assessment Return Cit/Rev/04R, subsection 20-100.004, F.A.C., as furnished by the Department. The return, certified as true and correct, shall report information as to the number of units of processed orange or grapefruit products subject to this section upon which any assessable privilege was exercised during the period of time covered by the return, ~~in addition to the status of inventoried product~~. Each handler shall maintain records and documentation supporting declarations made on the return filed with the Department of Citrus. Unless the actual number of boxes is known to the processor and can be substantiated by appropriate records in its possession, the following table shall be used in determining the equivalent number of boxes:

Product	Conversion Unit		Number of 1-3/5 Bushel
	Oranges	Grapefruit	
Concentrate	6.39 <u>6.19</u> solids	4.83 <u>4.54</u> solids	1
Single Strength	5.53 <u>5.91</u> gallons	5.53 <u>5.27</u> gallons	1

(Table to be updated every three years, based on five-year weighted average of state test house yields.)

(b) through (d) No change.

(3) through (4) No change.

Rulemaking Authority 601.10(1), 601.15(1), (10)(a), 601.155(3), (7) FS. Law Implemented 601.15(5), (6), 601.155 FS. History--Formerly 105-1.15(2), Amended 1-1-75, Formerly 105-1.15 (2), Amended 11-21-77, 8-1-80, 2-1-81, 8-1-83, Formerly 20-9.02, Amended 7-26-86, 8-30-89, 8-27-91, 7-13-94, 10-25-95, 8-1-97, 8-3-00, 11-27-01, 7-23-03, 7-25-06, 10-21-08, 6-19-12, 11-28-12, 1-28-13, 6-22-16, 8-1-17,

Effective Date: August 1, 2018

NAME OF PERSON ORIGINATING PROPOSED RULE:

Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
20-31.001 Certain Heating Prohibited
20-31.002 Air Circulation
20-31.003 Maximum Temperature

PURPOSE AND EFFECT: Repealing rules no longer utilized by the fresh industry.

SUMMARY: Repealing unnecessary rules.

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(1), (7) FS.

LAW IMPLEMENTED: 601.10(1), (7) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 E Main St, Bartow, FL 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, Legal Assistant, Florida Department of Citrus, P O Box 9010, Bartow, Florida 33831-9010 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-31.001 Certain Heating Prohibited.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.13(1), Amended 1-1-75, Formerly 20-31.01, Repealed.

20-31.002 Air Circulation.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.13(2), Amended 1-1-75, Formerly 20-31.02, Repealed.

20-31.003 Maximum Temperature.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.13(3), Amended 1-1-75, Formerly 20-31.03, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Elliott Mitchell, In-House General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
20-32.001 Notice of Intent to Color and Inspection of Fruit
20-32.002 Procedure for Sampling and Testing Fruit to be Colored
20-32.003 Use of Coloring Matter
20-32.004 Prohibited Coloring Matter
20-32.005 Early Varieties
20-32.006 Midseason Varieties
20-32.007 Late Varieties
20-32.008 Tolerance
20-32.009 Mixing Fruit Prohibited
20-32.011 Time and Temperature Limitations

PURPOSE AND EFFECT: Repealing rules no longer utilized by the fresh industry; amending rules to clarify the use of coloring matter.

SUMMARY: Repealing unnecessary rules and amending rules for clarity.

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(1), (7) FS.

LAW IMPLEMENTED: 601.10(7), 601.11, 601.80 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 E Main St, Bartow, FL 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, Legal Assistant, Florida Department of Citrus, P O Box 9010, Bartow, Florida 33831-9010 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-32.001 Notice of Intent to Color and Inspection of Fruit.
 Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.12(11), Amended 1-1-75, Formerly 20-32.01, Amended 7-21-92, 10-15-95, Repealed.

20-32.002 Procedure for Sampling and Testing Fruit to be Colored.
 Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.12(3), Amended 1-1-75, Formerly 20-32.02, Amended 10-15-95, Repealed.

20-32.003 Use of Coloring Matter.

↳ Only coloring matter previously approved by the Department of Agriculture may be used to color any citrus fruit; excluding tinted food grade wax for use on citrus to maintain freshness, manufacturer's instructions for the use of artificial

coloring matter shall be followed.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7), 601.80 FS. History--Formerly 105-1.12(4), Amended 1-1-75, Formerly 20-32.03, Amended 10-15-95, _____.

20-32.004 Prohibited Coloring Matter.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.12(8), Amended 1-1-75, Formerly 20-32.04, Amended 10-15-95, Repealed.

20-32.005 Early Varieties.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.12(5), Amended 1-1-75, Formerly 20-32.05, Repealed.

20-32.006 Midseason Varieties.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.12(6), Amended 1-1-75, Formerly 20-32.06, Repealed.

20-32.007 Late Varieties.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.12(7), Amended 1-1-75, Formerly 20-32.07, Repealed.

20-32.008 Tolerance.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.12(8), Amended 1-1-75, Formerly 20-32.08, Repealed.

20-32.009 Mixing Fruit Prohibited.

No colored fruit ~~colored in accordance with this rule~~ shall be mixed with fruit not so colored.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.12(9), Amended 1-1-75, Formerly 20-32.09, Amended.

20-32.011 Time and Temperature Limitations.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.10(7) FS. History--Formerly 105-1.12(12), Amended 1-1-75, Formerly 20-32.11, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-34.001	Test House Facilities and Equipment to be Furnished
20-34.002	Official Juice Extraction Equipment
20-34.004	Sample for Break in Color Test
20-34.005	Requirements for Break in Color
20-34.006	Juice Content in Grapefruit - Sampling and Testing
20-34.007	Juice Content in Oranges - Sampling and Testing
20-34.008	Solids-Acid Ratio Maturity Test - Drawing Sample
20-34.009	Solids-Acid Ratio Maturity Test
20-34.013	Tests May be Made Anywhere
20-34.018	Destruction of Fruit
20-34.020	Samples to be Taken from All Grades, Sizes or Other Division in All Lots

PURPOSE AND EFFECT: Amending rule to bring into practices currently utilized in maturity testing of fresh fruit; repealing "Break in Color" testing no longer use.

SUMMARY: Repealing unnecessary rules and amending rules for clarity.

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(1), (7), 601.24, 601.44 FS.

LAW IMPLEMENTED: 601.11, 601.24, 601.25, 601.44 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 E Main St, Bartow, FL 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, Legal Assistant, Florida Department of Citrus, P O Box 9010, Bartow, Florida 33831-9010 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-34.001 Test House Facilities and Equipment to Be Furnished.

(1) Each packinghouse shall provide adequate testing facilities in suitable locations, including running water, sinks and drainboards, lights, sufficient power outlets, and adequate desk space for the inspector's use. At least one testing facility shall be at or near the point where fruit is received at the packinghouse. Each testing facility shall be approved for adequacy by the Division of Fruit and Vegetables Inspection Service prior to issuance of packinghouse registration.

(2) Any packinghouse that shipped more than 200,000 equivalent 4/5 bu. boxes of citrus fruit the previous season shall, prior to beginning operations the following season, install an Automatic Machinery Corporation Model 2700, fresh citrus juice extractor, or its equivalent, as shown in drawings and specifications on file at the Department of Agriculture Citrus. Any fresh citrus packinghouse which started operations after October 31 of the previous season and shipped less than 400,000 equivalent 4/5 bu. boxes of citrus in that season may be exempt from this requirement.

(3) No change.
 Rulemaking Authority 601.10(1), (7), 601.24 FS. Law Implemented 601.11, 601.24 FS. History -Formerly 105 1.10(1), Amended 1 1 75, 9-5-85, Formerly 20-34.01, Amended 8-30-95, _____.

20-34.002 Official Juice Extraction Equipment.

Juice extraction equipment used in making official juice content and solids-acid ratio maturity tests shall be as follows:

(1) A fruit reamer with interchangeable reamer burrs of large size for grapefruit and small size for all other types. Fruit to be tested shall not have the peel removed and the fruit shall be cut in half across the stem-to-blossom axis. Each half of the fruit shall be pressed ~~by hand~~ against the reamer burr revolving at a speed not exceeding 400 R.P.M. The juice shall be strained through a Department of Agriculture approved strainer to prevent the passage of juice cells, pulp, or seeds. ~~through cheesecloth of sufficiently fine mesh to prevent the passage of juice cells, pulp, or seeds.~~

The strainer ~~The cheesecloth~~ containing the juice cells, pulp and seeds from the samples shall be squeezed by hand until the juice is removed, but shall not be pressed to the point of forcing juice cells, pulp, seeds or slime through the strainer cloth.

(2) An Automatic Machinery Corporation Model 2700 fresh citrus juice extractor or its equivalent as shown in drawings and specifications on file at the Department of Agriculture Citrus office.

~~(3) Other extraction equipment of commercial quality having a minimum .25 horsepower, not exceeding 1800 RPM, and interchangeable burrs for use on grapefruit and oranges.~~

Rulemaking Authority 601.10(1), (7), 601.24 FS. Law Implemented 601.24, 601.25 FS. History--Formerly 105-1.01(2), Amended 1-1-75, Formerly 20-34.02, Amended 12-21-93, _____.

20-34.004 Sample for Break in Color Test.

Rulemaking Authority 601.10(1), (7), 601.24, 601.44 FS. Law Implemented 601.24, 601.44 FS. History--Formerly 105-1.01(3)(b), Amended 1-1-75, Formerly 20-34.04, Amended 10-20-96, 7-2-03, Repealed _____.

20-34.005 Requirements for Break in Color.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.11, 601.16, 601.19, 601.21 FS. History--Formerly 105-1.01(3)(c), Amended 1-1-75, Formerly 20-34.05, Amended 8-19-03, Repealed _____.

20-34.006 Juice Content in Grapefruit -- Sampling and Testing.

(1)(a) through (b) No change.

(2) No change.

(3) The size of grapefruit may be determined by measuring the fruit diameter in the center and at right angles to the blossom-to-stem axis. The average diameter size for testing purposes for the respective sizes specified in Section 20-39.008 shall be as follows:

Size 14 = 5 3/4 inches	Size 40 = 3 15/16 inches
Size 18 = 5 9/32 inches	Size 48 = 3 3/4 inches
Size 23 = 4 25/32 inches	Size 56 = 3 9/16 inches
Size 27 = 4 9/16 inches	Size 64 = 3 1/2 inches
Size 32 = 4 1/4 inches	<u>Size 80 = 3 inches</u>
Size 36 = 4 1/8 inches	

(4) The average juice content of each fruit shall be compared with the minimum juice content required for size tested as shown in the following tables and if equal to or in excess thereof, the juice requirement of that diameter size shall have been satisfied:

Size	8/1 through 11/15	11/16 through 3/1	3/2 through 7/31
14	400 cc.	380 cc.	360 cc.
18	350 cc.	335 cc.	320 cc.
23	305 cc.	290 cc.	275 cc.
27	275 cc.	265 cc.	250 cc.
32	245 cc.	230 cc.	220 cc.
36	230 cc.	220 cc.	210 cc.
40	210 cc.	200 cc.	190 cc.
48	185 cc.	180 cc.	170 cc.
56	170 cc.	165 cc.	155 cc.

64 165 cc. 160 cc. 150 cc.

80 no minimum no minimum no minimum

(5) If the initial test fails, two additional tests may be made. If the average juice content per fruit of all fruit used in the three tests fails to meet the minimum requirement, that diameter size shall be ~~condemned and destroyed, or~~ legally diverted to other suitable use under supervision of the inspector.

(6) Juice content tests may be made on grapefruit from at least the smallest and largest diameters sizes in each lot of fruit. Such additional tests may be made as necessary, inasmuch as each diameter size of fruit must meet the minimum juice requirement of that respective diameter size.

(7) If any one diameter size fails maturity, the applicant shall declare to the inspector all diameters sizes in that lot. In addition, all mature diameters sizes above and below the diameter size that fails shall meet minimum and maximum maturity container requirements.

(a) Compliance shall be based on the average diameter as listed in 20-34.006(3).

(b) Failure shall be based upon the carton with the highest percentage of the average diameter that failed.

~~The container to be used for determining compliance shall be a standard 4/5 bushel shipping carton DOC 01 P. Fruit shall be place packed using the pack, count, and diameter ranges in sections 20 39.007(1) or (2), 20 39.008(1), or 20 39.009(1). The top layer of fruit shall, when place packed, be at least level with the top edge of the container. In addition, the maximum bulge, measured from the bottom of a full telescoping cover to the bottom of the container shall not exceed 1/2 inch at any point. This measurement shall be made from the bottom carton of two cartons stacked directly on top of one another.~~

Rulemaking Authority 601.10(1), (7), ~~601.18, 601.24, 601.25~~ FS. Law Implemented ~~601.18, 601.24, 601.25, 601.44~~ FS. History--Formerly 105-1.01(4), Amended 1-1-75, 4-15-75, 8-1-75, Formerly 20-34.06, Amended 10-17-95, 10-20-96, 4-27-03, _____.

20-34.007 Juice Content in Oranges -- Sampling and Testing.

(1) The test for juice content of oranges shall be made by selecting not less than 20 average diameter size fruit of the diameter size to be tested. The juice shall be extracted either by hand or by use of the official juice extractor equipment as described in Section 20-34.002. The juice content must meet or exceed a minimum of 4 1/2 gallons per 1 3/5 bu. box or equivalent.

(2) If the initial test fails, two additional tests may be made. If the average juice content of all fruit used in three tests fails to meet the minimum requirement, that diameter size shall be ~~condemned and destroyed, or~~ legally diverted for other suitable use under supervision of the inspector.

(3) If any one diameter size fails maturity, the applicant shall declare to the inspector all diameters sizes in that lot. In

addition, all mature ~~diameters sizes~~ above and below the ~~diameter size~~ that fails shall meet minimum and maximum ~~maturity container~~ requirements. The method in determining compliance shall be the same as for grapefruit described in subsection 20-34.006(7)(6).

Rulemaking Authority 601.10(1), (7), 601.24, 601.25 FS. Law Implemented 601.19, 601.24, 601.25, 601.44 FS. History--Formerly 105-1.01(5), Amended 1-1-75, Formerly 20-34.07, Amended 11-1-88, 10-17-95, _____.

20-34.008 Solids-acid Ratio Maturity Test -- Drawing Sample.

(1) Inspectors shall draw samples, from bins or packed boxes, which may consist of any ~~diameter size~~, grade, or combination of grades consisting of not less than 10 grapefruit or 20 each of all other varieties and hybrids of citrus fruit.

(2) Test shall be made from at least the smallest and largest ~~diameters sizes~~ in each lot of fruit. If a particular ~~diameter size~~ fails to pass, additional tests shall be made on the next ~~diameter size~~ in the lot. Inspectors, at their discretion, may make separate tests of each grade of any ~~diameter size~~ and each ~~diameter size~~ of any grade fruit.

(3) While only one test is required on each ~~diameter size~~ or grade of fruit that passes, the running of additional tests is not prohibited if, in the opinion of the inspector, additional tests may be necessary to prevent the shipment of immature fruit.

(4) No change.

(5) If any one ~~diameter size~~ fails, the applicant shall declare to the inspector all ~~diameters sizes~~ in that lot. In addition, all mature ~~diameters sizes~~ above and below the ~~diameter size~~ that fails shall meet minimum and maximum ~~maturity container~~ requirements. ~~The method for determining compliance shall be the same as prescribed in subsection 20-34.006(6).~~

(a) Compliance shall be based on the average diameter as listed in 20-34.006(3).

(b) Failure shall be based upon the carton with the highest percentage of the average diameter that failed.

Rulemaking Authority 601.11, 601.24 FS. Law Implemented 601.24 FS. History--Formerly 105-1.01(6), Amended 1-1-75, 4-15-75, Formerly 20-34.08, Amended 10-17-95, _____.

20-34.009 Solids-acid Ratio Maturity Tests.

(1) No change.

(2) The juice shall be strained through a Department of Agriculture approved strainer to prevent the passage of juice cells, pulp, or seeds. ~~through cheesecloth which may be squeezed by hand to remove the juice, but shall not be squeezed to the point of forcing slime or pulp through the cloth. As an alternative, other approved straining devices may be used.~~ The juice shall be tested as provided by law and if the juice fails to pass, the inspector may run two additional tests. If the average of the three tests fails to pass, the ~~diameter size~~ being tested

shall be ~~condemned and destroyed~~ or legally diverted for other suitable use under supervision of the inspector.

(3) No change.

Rulemaking Authority 601.24, 601.25 FS. Law Implemented 601.24, 601.25, 601.44 FS. History--Formerly 105-1.01(7), Amended 1-1-75, Formerly 20-34.09, Amended _____.

20-34.013 Tests May Be Made Anywhere.

(1) No change.

(2) Upon receipt of citrus fruit at a packinghouse, a composite test for ratio may be made and if the ratio fails the minimum requirements by more than 1/2 point, two additional such tests shall be made. If the average of the three composite tests fails by more than 1/2 point, the fruit ~~shall be condemned and destroyed.~~ ~~However, any variety of fruit which fails by more than 1/2 ratio point~~ may be diverted to a processing plant if it meets all requirements for citrus fruit for processing. In selecting samples for composite tests, ~~diameters sizes~~ of fruit which are not permitted to be shipped under regulations issued pursuant to Federal Marketing Agreements and Orders covering Florida citrus fruits shall not be included.

(3) No change.

Rulemaking Authority 601.10(1), (7), 601.11, 601.38 FS. Law Implemented 601.25, 601.29(2), 601.38, 601.46(2) FS. History--Formerly 105-1.01(10), Amended 1-1-75, Formerly 20-34.13, Amended 10-20-96, _____.

20-34.018 Fruit Failing Maturity. Destruction of Fruit.

All fruit which fails to pass the fresh fruit maturity test shall not be shipped as fresh fruit, and is subject to destruction, shall be destroyed immediately, or legally diverted for other suitable use, under the direct supervision of an inspector, and at the expense of the owner. ~~When impractical to destroy or divert such fruit immediately, it shall be set aside as ordered by the inspector and may not be moved except by permission of the inspector, but must be destroyed or removed for diversion during the day it is run and shall not remain in the packinghouse overnight.~~

Rulemaking Authority 601.10(7), 601.44 FS. Law Implemented 601.44 FS. History--Formerly 105-1.01(14), Amended 1-1-75, Formerly 20-34.18, Amended _____.

20-34.020 Samples to Be Taken from All Grades, ~~Diameters Sizes~~ or Other Divisions in All Lots.

The inspector may draw samples for maturity tests from all grades, ~~diameters sizes~~, or other divisions made in any lot of fruit at the time it is run, ~~including culls, cannery grades, or "pickouts."~~ If a test fails on any particular grade, ~~diameter size~~ or division of fruit, two additional tests may be made, and if the average of the three tests fails to meet maturity requirements, that grade, ~~diameter size~~ or division of fruit shall not be shipped. ~~be condemned and destroyed.~~

Rulemaking Authority 601.24, 601.25, 601.44 FS. Law Implemented 601.24, 601.25, 601.44 FS. History--Formerly 105-1.01(15), Amended 1-1-75, Formerly 20-34.20, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elliott Mitchell, General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
20-35.001 Fresh Fruit to Be Graded
20-35.002 Oranges, Temple Oranges and Tangelos - Florida Grades and Standards
20-35.003 Honey Tangerines - Florida Grades and Standards
20-35.004 Tangerines - Florida Grades and Standards
20-35.005 Grapefruit - Florida Grades and Standards
20-35.006 Tree Run Grade of Citrus Fruit
20-35.007 Fallglo Tangerines - Florida Grades and Standards

PURPOSE AND EFFECT: Repealing chapter no longer used by industry; USDA grades have been adopted.

SUMMARY: Repealing unnecessary rules.

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(1), (7), 601.11, 601.45, 601.9910(3) FS.

LAW IMPLEMENTED: 601.45, 601.51, 601.9910(3) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 E Main St, Bartow, FL 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice P. Wiggins, Legal Assistant, Florida Department of Citrus, P O Box 9010, Bartow, Florida 33831-9010 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-35.001 Fresh Fruit to be Graded.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.45, 601.51 FS. History--Formerly 105-1.02(1), Amended 1-1-75, Formerly 20-35.01, Amended 11-13-94, 12-10-95, Repealed.

20-35.002 Oranges, Temple Oranges and Tangelos -- Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45 FS. Law Implemented 601.45, 601.51 FS. History--Formerly 105-1.02(2), Amended 1-1-75, Formerly 20-35.02, Amended 12-10-95, Repealed.

20-35.003 Honey Tangerines -- Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45, 601.9910(3) FS. Law Implemented 601.45, 601.51, 601.9910(3) FS. History--Formerly 105-1.02(3), Amended 1-1-75, Formerly 20-35.03, Amended 12-10-95, Repealed.

20-35.004 Tangerines -- Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45, 601.9910(3) FS. Law Implemented 601.45, 601.51, 601.9910(3) FS. History--Formerly 105-1.02(4), Amended 1-1-75, Formerly 20-35.04, Amended 12-10-95, Repealed.

20-35.005 Grapefruit -- Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45 FS. Law Implemented 601.16, 601.45, 601.51 FS. History--Formerly 105-1.02(5), Amended 1-1-75, Amended 9-15-75, Formerly 20-35.05, Amended 8-30-95, 12-10-95, 6-29-97, Repealed.

20-35.006 Tree Run Grade of Citrus Fruit.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45 FS. Law Implemented 601.11, 601.9911 FS. History--Formerly 105-1.02(6), Amended 1-1-75, Formerly 20-35.06, Repromulgated 12-10-95, Repealed.

20-35.007 Fallglo Tangerines -- Florida Grades and Standards.

Rulemaking Authority 601.10(1), (7), 601.11, 601.45, 601.9910(3) FS. Law Implemented 601.45, 601.51, 601.9910(3) FS. History--New 8-30-95, Amended 12-10-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elliott Mitchell, General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Florida Citrus Commission
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 21, 2018

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
20-39.001 All Containers Must be Approved
20-39.002 Approved Containers
20-39.003 Approved Boxes
20-39.004 Approved Bags
20-39.005 Corrugated Bagmaster Containers
20-39.006 Bulk Shipments
20-39.007 Oranges - Approved Sizes, and Pack for
Determining Sizes in Standard Carton
20-39.008 Grapefruit - Approved Sizes, and Pack for
Determining Sizes in Standard Carton
20-39.009 Tangerines - Approved Sizes, and Pack for
Determining Sizes in Standard Carton
20-39.010 Approved Sizes, and Pack for Container No.
DOC-17-WP
20-39.011 Additional General Provisions
20-39.012 Experimental Containers
20-39.013 Stamping or Labeling of Fruit and
Containers
20-39.014 Exemptions
20-39.015 Misbranding of Fruit or Containers
20-39.016 PIQ Program
20-39.017 Organic Grove Registration Program
20-39.018 Standard Containers
20-39.019 Stamping or Labeling of Fruit and
Containers
20-39.020 Misbranding of Fruit or Containers
20-39.021 PIQ Program
20-39.022 Organic Grove Registration Program

PURPOSE AND EFFECT: Repealing sections of rule no longer utilized by the Fresh Industry and amending rules regarding containers and labeling.

SUMMARY: Repeal of out-of-date rules and rewording of chapter.

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(1),(7), 601.11 FS
LAW IMPLEMENTED: 601.02(4), 601.091, 601.10(7), 601.11, 601.45 FS

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2018, 9:00 a.m.
PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or awiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-39.001 All Containers Must Be Approved.
Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.11 FS. History--Formerly 105-1.03(1), Amended 1-1-75, Formerly 20-39.01, Repromulgated 12-27-92, Amended 10-22-95, Repealed _____.

20-39.002 Approved Containers.
Rulemaking Authority 601.10(1), 601.11, 601.85 FS. Law Implemented 601.11, 601.85 FS. History--Formerly 105-1.03(1), Amended 1-1-75, Formerly 20-39.02, Repromulgated 12-27-92, Repealed _____.

20-39.003 Approved Boxes.
Rulemaking Authority 601.11 FS. Law Implemented 601.11 FS. History--Formerly 105-1.03(1)(a), Amended 1-1-75, 8-16-75, 8-11-77, 8-1-78, 8-21-79, 1-15-80, 10-20-80, 5-1-81, 9-1-82, 11-6-83, 10-21-84, 1-1-85, Formerly 20-39.03, Amended 9-11-86, 12-20-87, 10-14-90, 8-23-92, 10-18-92, 1-19-93, 5-23-93, 10-10-93, 1-9-94, 10-16-94, 8-29-95, 10-13-96, 10-26-97, 12-6-98, 2-20-01, 12-26-01, 4-27-03, 10-21-03, 3-22-05, 1-20-09, Repealed _____.

20-39.004 Approved Bags.
Rulemaking Authority 601.11(1) FS. Law Implemented 601.11 FS. History--Formerly 105-1.03(1)(d), Amended 1-1-75, Amended 8-16-75, 8-1-78, 10-18-78, 3-16-80, 10-20-80, 5-1-81, 11-20-85, Formerly 20-39.05, Amended 9-11-86, 9-6-87, 7-21-91, 10-18-92, 1-19-93, 5-23-93, 10-13-96, 10-26-97, Repealed _____.

20-39.006 Bulk Shipments.
Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.02(4), (5), 601.10(7), 601.11 FS. History--Formerly 105-

1.03(1)(e), Amended 1-1-75, 8-16-75, 8-1-78, 10-18-78, 3-16-78, Formerly 20-39.06, Repromulgated 12-27-92, Repealed _____.

20-39.007 Oranges - Approved Sizes, and Pack for Determining Sizes in Standard Carton.

Rulemaking Authority 601.10(1),(7) FS. Law Implemented 601.10(7), 601.02(4),(5) FS. History--Formerly 105-1.03(1)(b)1.,2., Amended 1-1-75, Amended 1-15-80, 8-31-80, Formerly 20-39.07, Amended 12-27-92, 5-23-93, 10-13-96, Repealed _____.

20-39.008 Grapefruit - Approved Sizes, and Pack for Determining Sizes in Standard Carton.

Rulemaking Authority 601.10(1),(7), 601.11, 601.18(5) FS. Law Implemented 601.02(4),(5), 601.10(7), 601.11, 601.18(5) FS. History--Formerly 105-1.03(1)(b),(3), Amended 1-1-75, Amended 1-1-75, 4-15-75, 8-1-75, 3-16-80, Formerly 20-39.08, Amended 12-27-92, 5-23-93, 10-13-96, Repealed _____.

20-39.009 Tangerines - Approved Sizes, and Pack for Determining Sizes in Standard Carton.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(4), (5), 601.10(7) FS. History--Formerly 105-1.03(1)(b), (4), Amended 1-1-75, Amended 1-15-80, 8-31-80, Formerly 20-39.09, Amended 12-27-92, 5-23-93, 10-13-96, Repealed _____.

20-39.010 Approved Sizes, and Pack for Container No. DOC-17-WP.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.15(3)(b) FS. History--Formerly 105-1.03(2), Amended 1-1-75, Amended 3-1-76, 4-15-76, 10-18-78, 5-1-81, Formerly 20-39.11, Amended 8-23-92, 12-27-92, 5-23-93, 12-21-93, 10-13-96, Repealed _____.

20-39.012 Experimental Containers.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.11 FS. History--Formerly 105-1.03(3), Amended 1-1-75, Amended 9-1-76, 11-24-76, 5-1-81, 10-21-84, Formerly 20-39.12, Amended 12-27-92, 6-14-93, 10-13-96, Repealed _____.

20-39.013 Stamping or Labeling of Fruit and Containers.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.02(4), (5), 601.091, 601.10(7), 601.11, 601.45 FS. History--Formerly 105-1.03(4), Amended 1-1-75, 2-2-76, 2-16-77, 8-1-77, 10-3-77, 2-21-83, 7-20-83, Formerly 20-39.13, Amended 12-17-91, 3-22-92, 10-14-92, 1-19-93, 5-23-93, 12-21-93, 11-29-94, 8-30-95, 2-19-14, Repealed _____.

20-39.014 Exemptions.

Rulemaking Authority 601.10(1),(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.50, 601.9911 FS. History--Formerly 105-1.03(5), Amended 1-1-75, Formerly 20-39.14, Amended 12-27-92, Repealed _____.

20-39.015 Misbranding of Fruit or Containers.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.11, 601.99 FS. History--Formerly 105-1.03(6), Amended 1-1-75, Formerly 20-39.15, Repromulgated 12-27-92, Amended 8-30-95, Repealed _____.

20-39.016 PIQ Program.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7) FS. History--New 8-30-95, Repealed _____.

20-39.017 Organic Grove Registration Program.

Rulemaking Authority 601.10(7), 601.99, 601.731 FS. Law Implemented 601.10(7), 601.99, 601.731 FS. History--New 4-22-03, Repealed _____.

20-39.018 Standard Containers.

(1) The standard legal shipping box used for determining size for shipping fresh citrus fruits shall be a 4/5-bushel container with the following inside body dimensions in length, width and depth: 17 x 10 5/8 x 9 5/8 inches; 16 1/4 x 10 11/16 x 9 9/16 inches; or 16 3/8 x 10 5/8 x 9 1/2. The standard legal shipping container shall be used to determine size & fill requirements.

(2) For determining size, fruit in a place-packed container shall be considered properly sized and the carton well-filled when at least one-half of the top layer of fruit are not more than one-half inch below the top or one inch above the top of a standard container as defined in section (1).

Rulemaking Authority 601.10(1), 601.11, 601.85 FS. Law Implemented 601.11, 601.85 FS. History--New _____.

20-39.019 Stamping or Labeling of Fruit and Containers.

(1) Content: When citrus fruit is shipped in any container, the contents, in terms of minimum numerical count or weight or the volume content in terms of bushels, standard shipping boxes or fractions thereof, shall be stamped or printed thereon, or on a tag attached to, or inserted in, the container.

(a) Weight: When citrus fruit is packed in containers, it shall be sufficient if the weight only is stamped on the container.

(b) Size: Where content is labeled by size and count, it shall be sufficient if the size only is stamped on the container, unless the count is different from that indicated by the size, in which case both the minimum count and size shall be stamped on the container.

(c) Bags: If citrus fruit is shipped in bags stamped or printed to indicate the contents in terms of a fractional box, and the bag, or an attached or inserted tag, indicates the size of fruit, the count of fruit in the bag shall not be less than the fractional part of the standard shipping box count for the size fruit indicated on the bag.

(2) Grade - Boxes.

(a) When citrus fruit is sold, shipped or offered for sale or shipment by common carrier or otherwise, enclosed in any container, it shall be sufficient if the grade be conspicuously stamped on the closed container in plainly legible bold-face type.

(b) The shipper or seller using closed containers, instead of marking the grade on the container, shall have the option of

using brands or trademarks which are registered with the Department of Citrus to represent specific grades. Whenever the label to be used to represent the grade is not placed on the container before or at the time the container is filled, the grade shall be stamped on the container, utilizing the space where the label will be placed if desired.

(3) Name and Address of Shipper, Coding and Records - Boxes.

(a) The packing house registration number or the name and Florida address of a registered shipper or licensed citrus fruit dealer that packs or distributes the fruit, shall be clearly and permanently indicated on the container, in plainly legible bold-face type.

(b) All shippers and packers shall maintain sufficient coding of all containers and shall prepare and maintain product coding and distribution records to facilitate effective product recall and identification of the packinghouse that physically packed the fruit. Such records will be available to the Florida Department of Agriculture and Consumer Services and the U.S. Department of Agriculture upon request.

(4) Grade and Name and Address of Shipper - Bags.

(a) When bags are used as containers for the sale or shipment of citrus fruit, the grade of the fruit and the name and address of the shipper must be printed or stamped on each bag, or on a proper tag attached to or inserted in the bag. If a brand or trademark is used on the bag, attached tag or inserted tag, to represent the grade, such brand or trademark must be reproduced the same as it is registered with the Department of Citrus for grade purposes.

(b) Type size used to indicate the grade or brand name shall be plainly legible. Type size used to indicate the name and address of the shipper shall be plainly legible.

(5) Designation of Origin.

No labeling may be used that indicates any state other than Florida as the origin of the fruit.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.02(4), (5), 601.091, 601.10(7), 601.11, 601.45 FS. History—New

20-39.020 Misbranding of Fruit or Containers.

The following practices in handling citrus fruit grown in this state are prohibited and violation shall subject the offender to prosecution as provided by law:

(1) Application of any word, phrase, or descriptive design to the skin of any citrus fruit which falsely indicates that the fruit was grown in a particular area or locality

(2) To sell, ship or offer for sale or shipment any citrus fruit when the individual fruit or the package, wrapper or container thereof bears any false or misleading statement, design or device regarding the name, size or quality of such fruit, the

locality in which it was grown or the net contents of the container.

(3) In recognition of various customs and usages in different markets, for the purpose of this rule, it shall not be considered a misleading statement to indicate “pink” varieties as “red” on the shipping container.

Rulemaking Authority 601.10(1), 601.11 FS. Law Implemented 601.11, 601.99 FS. History—New

20-39.021 PIQ Program.

Packinghouses approved by the United States Department of Agriculture and the Florida Department of Agriculture, Division of Fruit and Vegetables to operate under the PIQ (Partners in Quality) program shall comply with all provisions of this chapter. Inspection for compliance shall be in a manner prescribed by “Specifications for PIQ Program Quality Assurance Systems” dated July 2007, incorporated herein by reference.

Rulemaking Authority 601.10(1), (7), 601.11 FS. Law Implemented 601.10(7) FS. History--New

20-39.022 Organic Grove Registration Program.

To aid enforcement of proper citrus fruit labeling and to assist with estimates of organic citrus fruit volumes, an Organic Grove Registration Program shall be established as herein provided.

(1) All groves from which organic citrus fruit is placed into commercial channels shall, upon certification and by August 1 of each year, be registered with Division of Fruit & Vegetables, License and Bond.

(2) The registration form shall include documentation of current organic certification, the USDA accredited certifying agent name, organic certificate number, the name of the grove property owner, the grove location referenced in Global Positioning System coordinates, the varieties of citrus fruit, an estimate of current season production in boxes, and such other information as may be deemed necessary by Florida Department of Citrus.

(3) All organic citrus fruit placed in commercial channels shall be harvested from groves certified by a USDA accredited certifying agent and shall be accompanied by an organic trip ticket when transported on highways of this state.

Rulemaking Authority 601.10(7), 601.99, 601.731 FS. Law Implemented 601.10(7), 601.99, 601.731 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elliott Mitchell, General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF CITRUS

RULE NO.: 20-41.003
 RULE TITLE: Hours of Inspection and Issuance of Certificates

PURPOSE AND EFFECT: Repealing rule setting out inspection hours.

SUMMARY: Hours of inspection

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(1),(7) FS

LAW IMPLEMENTED: 601.02(2), (4), (5), 601.10(7), 601.27, 601.31 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or awiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-41.003 Hours of Inspection and Issuance of Certificates.

Rulemaking Authority 601.10(1), (7) FS. Law Implemented 601.02(2), (4), (5), 601.10(7), 601.27, 601.31 FS. History--Formerly 105-1.07(3), Amended 1-1-75, 12-12-82, 11-19-84, Formerly 20-41.03, Amended 11-2-88, 4-21-93, 8-30-95, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018

DEPARTMENT OF CITRUS

RULE NO.: 20-42.002
 RULE TITLE: Change of Registration

PURPOSE AND EFFECT: Repealing rule regarding changing brand or trademark registrations.

SUMMARY: Brand or trademark registration change.

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.45 FS

LAW IMPLEMENTED: 601.45 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or awiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-42.002 Change of Registration.
 Rulemaking Authority 601.45 FS. Law Implemented 601.45 FS. History--Formerly 105-1.06(2), Amended 1-1-75, Formerly 20-42.02, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Elliott Mitchell, General Counsel
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Florida Citrus Commission
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 21, 2018

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
20-50.001 Seedless Grapefruit for Fresh Use Maturity Standards
20-50.002 When Seedless Grapefruit shall be Deemed Mature
20-50.003 Seeded Grapefruit for Fresh Use Maturity Standards
20-50.004 When Seeded Grapefruit Shall be Deemed Mature

PURPOSE AND EFFECT: Repealing language regarding Color Break Requirements no longer used by the industry. Updating Rulemaking Authority and Law Implemented statutes.

SUMMARY: Repealing unnecessary rules for the fresh industry.

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O

Box 9010, Bartow, FL 33831 or awiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-50.001 Seedless Grapefruit for Fresh Use Maturity Standards.

- ~~(1) Color Break:~~
- ~~(a) Each fruit;~~
- ~~(b) After having been severed from the tree;~~
- ~~(c) Shows a break in color;~~
- ~~(d) With yellow color predominating on;~~
- ~~(e) Not less than 25 percent of the fruit's surface in the aggregate.~~

~~(2) Brix:~~
~~(1)(a)~~ The total soluble solids (Brix) of the juice shall not be less than 7.5 percent;

~~(2)(b)~~ The ratio of the total soluble solids to anhydrous citric acid meets the requirements of 20-51 F.A.C.

~~(3)(e)~~ The juice content of each fruit is not less than the minimum requirements for the respective fruit diameter size as set forth in 20-52 F.A.C.

Rulemaking Authority 601.10(7), ~~601.11~~ FS. Law Implemented 601.11 601.9910(1) FS. History—New 1-1-13, Amended _____.

20-50.002 When Seedless Grapefruit Shall be Deemed Mature.

(1) Except for the period January 1 through July 31, seedless grapefruit meeting minimum ~~color break~~, ratio, and juice content requirements of rule 20-50.001, F.A.C. shall be deemed mature when the total soluble solids (Brix) of the juice is not less than 7 percent.

(2) Except for the period April 15 through July 31, seedless grapefruit meeting the minimum ~~color break~~, soluble solids, and juice content requirements of rule 20-50.001, F.A.C. shall be deemed mature when the ratio of soluble solids to anhydrous citric acid is not less than six to one.

Rulemaking Authority 601.10(1), (7), ~~601.11~~ FS. Law Implemented 601.11 601.9910(1) FS. History—New 1-1-13, Amended _____.

20-50.003 Seeded Grapefruit for Fresh Use Maturity Standards.

- ~~(1) Color Break:~~
- ~~(a) Each fruit;~~
- ~~(b) After having been severed from the tree;~~
- ~~(c) Shows a break in color;~~
- ~~(d) With yellow color predominating on;~~
- ~~(e) Not less than 25 percent of the fruit's surface in the aggregate.~~

~~(2) Brix:~~
~~(1)(a)~~ The total soluble solids (Brix) of the juice is not less than 8 percent;

(2)(b) The ratio of the total soluble solids to anhydrous citric acid meets the requirements of 20-51 F.A.C.;

(3)(e) The juice content of each fruit is not less than the minimum requirements for respective fruit diameters sizes set forth in 20-52 F.A.C.

Rulemaking Authority 601.10(1), (7), ~~601.11~~ FS. Law Implemented 601.11 ~~601.9910(1)~~ FS. History—New 1-1-13, Amended.

20-50.004 When Seeded Grapefruit Shall be Deemed Mature.

(1) Except for the period January 1 through July 31, seeded grapefruit meeting minimum

(a) ~~Color break;~~

(a)(b) Ratio;

(b)(e) And juice content requirements of 20-52 F.A.C. shall be deemed mature when the total soluble solids (Brix) of the juice is not less than 7.5 percent.

(2) Except for the period April 15 through July 31, seeded grapefruit meeting minimum

(a) ~~Color break;~~

(a)(b) Soluble solids;

(b)(e) And juice content requirements of 20-52 F.A.C. shall be deemed mature when the ratio of soluble solids to anhydrous citric acid is not less than six to one.

Rulemaking Authority 601.10(1), (7), ~~601.11~~ FS. Law Implemented 601.11 ~~601.9910(1)~~ FS. History—New 1-1-13, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
 20-52.001 Minimum Juice Content
 20-52.002 Determination of Unusual or Abnormal Conditions

20-52.003 Establishment of Different Sizes
 PURPOSE AND EFFECT: Amending rule to add size 80 grapefruit and repealing language regarding Abnormal Conditions and Establishment of Different Sizes. Updating Rulemaking Authority and Law Implemented Statutes.

SUMMARY: Grapefruit minimum juice content.

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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or awiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-52.001 Minimum Juice Content.

(1) During the period of time beginning with August 1 of each year and ending with November 15 of the same year, both dates inclusive, the minimum juice content of the juice of the respective sizes of grapefruit is as follows:

Grapefruit Size ¹⁽¹⁾	Grapefruit Shall Not Contain Less than the Corresponding Amount of Juice
14	400 Cubic Centimeters
18	350 Cubic Centimeters
23	305 Cubic Centimeters
27	275 Cubic Centimeters
32	245 Cubic Centimeters
36	230 Cubic Centimeters

¹⁽¹⁾ Each size being designated by the commercial number assigned to it based on the number of grapefruit of said size packed commercially in a standard 4/5 Florida packed box of grapefruit.

40	210 Cubic Centimeters
48	185 Cubic Centimeters
56	170 Cubic Centimeters
64	165 Cubic Centimeters
<u>80</u>	<u>No Juice Minimum</u>

(2) During that period of time beginning with November 16 of each year and ending with March 1 of the following year, both dates inclusive, the minimum juice content of respective size of grapefruit shall be as follows:

Grapefruit Size ¹	Grapefruit Shall Not Contain Less than the Corresponding Amount of Juice
14	380 Cubic Centimeters
18	335 Cubic Centimeters
23	290 Cubic Centimeters
27	265 Cubic Centimeters
32	230 Cubic Centimeters
36	220 Cubic Centimeters
40	200 Cubic Centimeters
48	180 Cubic Centimeters
56	165 Cubic Centimeters
64	160 Cubic Centimeters
<u>80</u>	<u>No Juice Minimum</u>

(3) During that period of time beginning with March 2 of each year and ending with July 31 of the same year, both dates inclusive, the minimum juice content of the juice of respective sizes of grapefruit shall be as follows:

Grapefruit Size ¹	Grapefruit Shall Not Contain Less than the Corresponding Amount of Juice
14	360 Cubic Centimeters
18	320 Cubic Centimeters
23	275 Cubic Centimeters
27	250 Cubic Centimeters
32	220 Cubic Centimeters
36	210 Cubic Centimeters
40	190 Cubic Centimeters
48	170 Cubic Centimeters
56	155 Cubic Centimeters
64	150 Cubic Centimeters
<u>80</u>	<u>No Juice Minimum</u>

Rulemaking Authority 601.10(7), ~~601.11~~—FS. Law Implemented 601.11 ~~601.9910(4)~~ FS. History—New 1-1-13, Amended _____.

20-52.002 Determination of Unusual or Abnormal Conditions.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History—New 1-1-13, Repealed _____.

20-52.003 Establishment of Different Sizes.

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.9910(1) FS. History—New 1-1-13, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:

20-53.001 Maturity Standards

20-53.002 Maturation of Oranges Earlier Than Normal

PURPOSE AND EFFECT: Repealing language regarding Color Break Requirements no longer used by the industry; removing dates regarding when a public hearing can be held regarding early maturing oranges. Updating Rulemaking Authority and Law Implemented Statutes.

SUMMARY: Repealing unnecessary rules on Orange Maturity 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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(7), 601.11 FS.
 LAW IMPLEMENTED: 601.9910 FS.
 A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: May 16, 2018 at 9:00 a.m.
 PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or awiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-53.001 Maturity Standards.

(1) During the period of time beginning with August 1 of each year and ending with October 31 of the same year, both dates inclusive, oranges shall be deemed to be mature only when each orange:

- (a) ~~After having been clipped, picked or severed from the tree;~~
- (b) ~~Shows a break in color;~~
- (c) ~~With yellow color predominating on not less than 50 percent of the fruit's surface in the aggregate (the Parson Brown variety need show only such break in color on not less than 25 percent of the fruit's surface in the aggregate);~~

(d) through (g) renumbered (a) through (d) No change.

(2) During that period of time beginning with November 1 of each year and ending November 15 of the same year, both dates inclusive, oranges shall be deemed to be mature only when each orange:

- (a) ~~After having been clipped, picked, or otherwise severed from the tree;~~
- (b) ~~Shows a break in color;~~
- (c) ~~With yellow color predominating on not less than 50 percent of the fruit's surface in the aggregate (the Parson Brown variety need show only such a break in color on not less than 25 percent of the fruit's surface in the aggregate);~~

(d) through (g) renumbered (a) through (d) No change.

(3) Except as provided in subsection (4), during that period of time beginning with November 16 of each year and ending with July 31 of the following year, both dates inclusive, oranges shall be deemed to be mature only when each orange:

- (a) ~~After having been clipped, picked, or otherwise severed from the tree;~~
- (b) ~~Shows a break in color;~~
- (c) ~~With yellow color predominating on not less than 25 percent of the fruits surface in the aggregate;~~

(d) through (g) renumbered (a) through (d) No change.

(4) From December 1 of each year to July 31 of the following year, both dates inclusive, oranges shall be deemed

to be mature for canning and concentrating purposes when the total soluble solids of the juice is not less than 8 percent and when the minimum ratio of the total soluble solids of the juice to the anhydrous citric acid is as set forth in 20-54 F.A.C., with no minimum requirement as to juice content, or acid, or color break.

Rulemaking Authority 601.10(7), ~~601.11~~ FS. Law Implemented 601.11 ~~601.9910(4)~~ FS. History—New 1-1-13, Amended.

20-53.002 Maturation of Oranges Earlier Than Normal.

(1) If in any particular shipping season it shall appear to the Department of Citrus, after a public hearing ~~held not earlier than October 5 and~~ called and held to determine such question, that oranges are then maturing earlier than normally as provided in 20-53 F.A.C., the Department of Citrus may by order or rule, ~~to be issued or promulgated and to become effective not later than October 10,~~ declare and provide that during that period of time beginning with August 1 and ending with October 16, both dates inclusive, oranges meeting all other maturity standards shall be deemed to be mature when the total soluble solids of the juice of the sample is not less than 9 percent;

(2) through (3) No change.

Rulemaking Authority 601.10(7), ~~601.11~~ FS. Law Implemented 601.11 ~~601.9910(4)~~ FS. History—New 1-1-13, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elliott Mitchell, General Counsel
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF CITRUS

RULE NO.: 20-55.001
 RULE TITLE: Tangerine Maturity Standards
 PURPOSE AND EFFECT: Repealing language regarding Color Break Requirements no longer used by the industry. Updating Rulemaking Authority and Law Implemented Statutes.
 SUMMARY: Repealing unnecessary rules on Tangerine Maturity 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: upon review of the proposed new rule, the department has determined that the rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910(1) FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or awiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20-55.001 Tangerine Maturity Standards.

(1) Tangerines shall be deemed to be mature only when each tangerine:

~~(a) After having been clipped, picked, or otherwise severed from the tree;~~

~~(b) Shows a break in color;~~

~~(c) With yellow color predominating on not less than 50 percent of the fruits surface in the aggregate;~~

(d) through (e) renumbered (a) through (b) No change.

(2) From November 15th of each year until July 31st of the following year, both dates inclusive, tangerines shall be deemed to be mature only when each tangerine:

~~(a) After having been clipped, picked, or otherwise severed from the tree;~~

~~(b) Shows a break in color;~~

~~(c) With yellow color predominating on not less than 50 percent of the fruit's surface in the aggregate;~~

(d) through (e) renumbered (a) through (b) No change.

(3) No change.

Rulemaking Authority 601.10(7), ~~601.11~~ FS. Law Implemented 601.11, 601.9910(3) (4) FS. History--New 1-1-13, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Elliott Mitchell, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF CITRUS

RULE NO.: 20-100.004
 RULE TITLE: Official Forms Used by Agency
 PURPOSE AND EFFECT: Incorporating new form for imported processed products and repealing forms no longer utilized by the Department.

SUMMARY: Official forms used by agency
 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: upon review of the proposed rule, the department has determined that the amendment will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 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: 601.10(1), 601.15(5), 601.155(7), 601.56, 601.69(9), FS.

LAW IMPLEMENTED: 601.10(15), 601.15, 601.155, 601.55, 601.56, 601.69, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alice Wiggins, Legal Assistant, P O Box 9010, Bartow, FL 33831 or AWiggins@citrus.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

20 100.004 Official Forms Used by Agency.

In its licensing, regulatory, ~~assessing taxation~~, marketing, ~~research~~, and other operational functions the Florida Department of Citrus requires use of the forms listed below. All of these forms are available for inspection by any interested party during regular business hours at the headquarters office located at 605 East Main Street, Bartow, Florida or may be received upon request by writing the Florida Department of Citrus, P.O. Box 9010, Bartow, Florida 33831-9010, by telephone 863/537-3999 or at <https://www.floridacitrus.org/grower/resources/forms/>.

- (1) through (2) No change.
- ~~(3) Application for Special Transportation Permit—CIT/LIC/04 Rev. 7-9-07~~
- ~~(3)(4) No change.~~
- ~~(5) Application for Permits for Shipment by Gift Fruit Shippers of Fresh Citrus Fruit Not for Resale—CIT/LIC/06 Rev. 11-15-06~~
- ~~(6) through (9) Renumbered (4) through (7) No change.~~
- ~~(10) Application for Permit to Make Test Shipments of Experimental Containers for Fresh Citrus Fruit—CIT/LIC/11 Rev. 3-5-04~~
- ~~(11) Application for Permit to Make Test Shipments of Experimental Containers for Fresh Citrus Fruit with Lab Test—CIT/LIC/12 Rev. 3-5-04~~
- ~~(12) Permit to Make Test Shipments of Experimental Containers for Fresh Citrus Fruit—CIT/LIC/13 Rev. 5-1-07~~
- ~~(13) Application for Use of Florida's Seal of Approval—CIT/LEG/06 Rev. 12-9-99~~
- ~~(14) Application for Use of Florida's Seal of Approval Supplement A—CIT/LEG/07 Rev. 8-1-95~~
- ~~(15) Florida's Seal of Approval Supplier Statement Form—CIT/LEG/08 Rev. 7-7-98~~
- ~~(16) Florida's Seal of Approval Certification Mark License Certificate—CIT/LEG/09 Rev. 8-1-95~~
- ~~(17) Florida with Sunburst "O" License Application Form—CIT/LEG/10 Rev. 8-1-95~~
- ~~(18) Florida with Sunburst "O" Supplier Statement Form—CIT/LEG/11 Rev. 8-1-95~~
- ~~(19) License Certificate for Florida with Sunburst "O" Registered Mark—CIT/LEG/12 Rev. 8-1-95~~
- ~~(20) Application for Use of Florida Citrus Growers' Symbol—CIT/LEG/15 Eff. 4-5-00~~
- ~~(21) Application for Use of Florida Citrus Growers' Symbol Supplement A—CIT/LEG/16 Eff. 1-1-98~~
- ~~(22) Florida Citrus Growers= Symbol Supplier Statement Form—CIT/LEG/17 Rev. 1-1-98~~

- ~~(23) Florida Citrus Growers= Symbol License Certificate—CIT/LEG/18 Eff. 1-15-98~~
 - ~~(24) Application for Use of Made with Florida Citrus Symbol—CIT/LEG/19 Eff. 5-1-98~~
 - ~~(25) Made with Florida Citrus Supplier Statement Form—CIT/LEG/20 Eff. 5-1-98~~
 - ~~(26) Made with Florida Citrus Florida Processor's Agreement—CIT/LEG/21 Eff. 1-1-98~~
 - ~~(27) Made with Florida Citrus Symbol License Certificate—CIT/LEG/22 Eff. 5-1-98~~
 - ~~(28) Application for Use of Fresh from Florida Citrus Growers' Symbol—CIT/LEG/23 Eff. 12-6-98~~
 - ~~(29) "Fresh from Florida Citrus Growers'" Registered Certification Mark License Certificate—CIT/LEG/24 Rev. 12-6-98~~
 - ~~(30) through (32) renumbered (8) through (10)~~
 - ~~(11)(33) Form 4R - Equalization Assessment Return - CIT/REV/04R Eff. 8-1-18 available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08182>.~~
 - ~~(34) through (36) renumbered (12) through (14) No change.~~
 - ~~(15)(37) Assignment for Certificate of Deposit—CIT/REV/07 Rev. 7-11-07~~
 - ~~(38) through (41) renumbered (16) through (19) No change.~~
 - ~~(42) International Value Added Program Agreement—CIT/MKTG/VAPI Rev. 10-4-04~~
 - ~~(43) through (51) renumbered (20) through (28) No change.~~
 - ~~(29)(52) Dealer's Statement for Importing Citrus Products - CIT/DSA/8 Rev. 3-7-18 available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05872>.~~
 - ~~(30)(53) No change.~~
- Rulemaking Authority 601.10(1), 601.15(5), 601.155(7), 601.56, 601.69(9), F.S. Law Implemented 601.10(15), 601.15, 601.155, 601.55, 601.56, 601.69, 120.55, F.S. History--New 1-1-75, Amended 8-31-83, 2-26-84, Formerly 20-102.05, Amended 12-20-95, Formerly 20-102.005, Amended and Transferred 12-6-98, Amended 5-28-00, 9-20-07, 7-13-10, 11-28-12, 8-31-15, 2-12-17, 8/1/17, _____.
- NAME OF PERSON ORIGINATING PROPOSED RULE:
Elliott Mitchell, General Counsel
- NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Citrus Commission
- DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2018
- DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 23, 2018

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-710.210	Documents Incorporated by Reference
62-710.500	Registration and Notification
62-710.510	Record Keeping and Reporting
62-710.600	Certification Program for Used Oil Transporters
62-710.800	Permits for Used Oil Processing Facilities
62-710.901	Forms

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of this proposed rule is to amend rules to increase efficiency and internal consistency by adopting federal regulations by reference, and making technical corrections.

RULEMAKING AUTHORITY: 120.53(1), 403.061, 403.704, 403.7545, 403.767, 403.8055, F.S.

LAW IMPLEMENTED: 403.704, 403.707, 403.754, 403.7545, 403.760, 403.767, 403.769, F.S.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

403.8055, F.S. **WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO:** Julie Rainey, Department of Environmental Protection, MS 4560, Blair Stone Road, Tallahassee, Florida 32399-2400 or email at julie.c.rainey@floridadep.gov

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-710.210 Documents Incorporated by Reference.

(1) No change.

(2) The Department adopts by reference 40 C.F.R. Part 279 revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-089502012>, (~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-02188>~~), which contains the federal standards for the management of used oil. It is the intent of the Department to interpret these standards in a manner consistent with interpretations promulgated by the United States Environmental Protection Agency, except when such interpretations conflict with Florida law.

(3) through (8) No change.

Rulemaking Authority 403.061, 403.704, 403.7545, 403.8055 FS. Law Implemented 403.704, 403.7545 FS. History—New 6-8-95, Amended 12-23-96, 3-25-97, 6-9-05, 1-4-09, 4-23-13,_____.

62-710.500 Registration and Notification.

(1) The following persons shall annually register their used oil handling activities with the Department using Form 62-730.900(1)(b), “8700-12FL – Florida Notification of Regulated Waste Activity,” effective date 4-23-13, which is hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02074>). This Form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm~~ or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(a) through (d) No change.

(2) through (4) No change.

(5) Each public used oil collection center shall notify the Department no later than 30 days after first accepting used oil from the public on DEP Form 62-710.901(5), “Public Used Oil Collection Center Notification and Annual Report,” effective date 4-23-13, which is hereby adopted and incorporated by reference

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-02071>). This form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-740.htm~~ or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The Department shall acknowledge filing of the notification within 30 days of receipt.

Rulemaking Authority 403.061, 403.704 FS. Law Implemented 403.704, 403.754, 403.760 FS. History—New 2-25-85, Formerly 17-7.63, 17-7.630, Amended 1-17-90, Formerly 17-710.500, Amended 6-8-95, 12-23-96, 3-25-97, 6-9-05, 1-4-09, 4-23-13,_____.

62-710.510 Record Keeping and Reporting.

(1) Each registered person shall maintain records on DEP Form 62-710.901(2), “Used Oil and Used Oil Filter Record Keeping Form and Instructions,” effective date 4-23-13, which is hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02069>), or on substantially equivalent forms which contain at least the same information as the Department form. This form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-740.htm~~ or by contacting the Permitting and Compliance

~~Assistance Program Hazardous Waste Regulation Section~~, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. These records shall include the following information:

- (a) through (g) No change.
- (2) through (4) No change.

(5) No later than March 1 of each year, each person required to register in accordance with Rule 62-710.500, F.A.C., shall submit an annual report for the preceding calendar year to the Department on DEP Form 62-710.901(3), "Annual Report by Used Oil and Used Oil Filter Handlers," effective date 4-23-13, which is hereby adopted and incorporated by reference

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-02070>). This form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-710.htm~~ or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The report shall summarize the records kept pursuant to this section.

- (6) No change.

Rulemaking Authority 403.061, 403.704 FS. Law Implemented 403.754, 403.760 FS. History—New 2-25-85, Formerly 17-7.64, 17-7.640, Amended 1-17-90, Formerly 17-710.510, Amended 6-8-95, 12-23-96, 3-25-97, 6-9-05, 4-23-13,_____.

62-710.600 Certification Program for Used Oil Transporters.

- (1) No change.
- (2) To become certified and to maintain certification, used oil transporters shall:
 - (a) through (d) No change.

(e) Have, verify, and maintain vehicle insurance with a combined single limit of no less than \$1,000,000.00. Such insurance, or additional policy, must in no way exclude pollution coverage for sudden and accidental alleged or threatened discharge, dispersal, seepage, migration, release or escape of used oil, and must include any cost or expense relating to pollution damage for which the transporter is legally liable. Such insurance must be maintained at all times and be exclusive of legal defense costs.

1. The insurance required in this paragraph may be established by:

- a. Evidence of liability insurance, either on a claim made or an occurrence basis, with or without a deductible (with the deductible, if any, to be on a per occurrence or per accident basis and not to exceed ten percent of the equity of the

business), using DEP Form 62-730.900(5)(a), "State of Florida Certificate of Liability Insurance Hazardous Waste Transporter and Used Oil Handler," effective date 4-23-13, which is hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02081>). This form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm~~ or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The insurance policy shall be issued by an agent or company authorized or licensed to transact business in the State of Florida. If the facility has an up-to-date DEP Form 62-730.900(5)(a) on file with the Department, an ACORD form will be accepted for renewal of the same policy with the same carrier if the information on the ACORD form matches the DEP Form 62-730.900(5)(a) the Department has on file for the facility, including the policy number, or the Department has received documentation from the insurance company certifying that the liability policy has not changed along with the ACORD form; or

- b. No change.
- 2. No change.

- (3) through (4) No change.

Rulemaking Authority 403.061, 403.704, 403.767 FS. Law Implemented 403.767 FS. History—New 1-17-90, Formerly 17-710.600, Amended 6-8-95, 12-23-96, 3-25-97, 6-9-05, 4-23-13,_____.

62-710.800 Permits for Used Oil Processing Facilities.

- (1) through (2) No change.
- (3) Before operating, closing or making any substantial modification to a used oil processing facility, the owner or operator shall submit to the Department the Used Oil Processing Facility Permit Application, DEP Form 62-710.901(6), "Used Oil Processing Facility Permit Application," effective date 4-23-13, which is hereby adopted and incorporated by reference

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-02072>). This form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-710.htm~~ or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The engineering aspects of the application shall be certified by a Professional Engineer.

- (a) through (c) No change.
- (4) through (5) No change.
- (6) Financial assurance.
- (a) No change.

(b) For the purpose of determining the closing cost estimate, the owner or operator shall estimate the total cost of closing the facility using Form 62-710.901(7), "Used Oil Processing Facility Closing Cost Estimate Form," effective date 4-23-13, which is hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02073>). This form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-710.htm~~ or by contacting the Permitting and Compliance Assistance Program ~~Hazardous Waste Regulation Section~~, MS ~~4500 4560~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400], and in accordance with the closure plan pursuant to subsection (5), of this rule, for the time period in the facility operation when the extent and manner of its operation make closing most expensive. The owner or operator shall submit the estimate, together with all necessary justification, to the Department along with the proof of financial assurance. The costs shall be estimated and certified by a professional engineer for a third party to perform the work, on a per unit basis, with the source of estimates indicated. The owner or operator shall keep the latest closing cost estimate at the facility. When this estimate has been adjusted in accordance with paragraph (c), of this subsection, the latest adjusted closing cost estimate shall also be kept at the facility.

- (c) through (d) No change.

Rulemaking Authority 403.061, 403.704 FS. Law Implemented 403.704, 403.707, 403.769 FS. History—New 1-17-90, Formerly 17-710.800, Amended 6-8-95, 12-23-96, 6-9-05, 4-23-13,_____.

62-710.901 Forms.

The form is listed by rule number, which is also the form number, and with the subject, title and effective date. The forms can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/used-oil-forms> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-710.htm~~ or by contacting the Permitting and Compliance Assistance Program ~~Hazardous Waste Regulation Section~~, MS ~~4500 4560~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

- (1) No change.

(2) Used Oil and Used Oil Filter Record Keeping Form and Instructions, effective ~~4-23-13~~ ~~4-23-12~~, which is adopted and incorporated by reference in subsection 62-710.510(1), F.A.C.

(3) Annual Report by Used Oil and Used Oil Filter Handlers, effective ~~4-23-13~~ ~~4-23-12~~, which is adopted and incorporated by reference in subsection 62-710.510(5), F.A.C.

- (4) No change.

(5) Public Used Oil Collection Center Notification and Annual Report, effective ~~4-23-13~~ ~~4-23-12~~, which is adopted and incorporated by reference in subsection 62-710.500(5), F.A.C.

(6) Used Oil Processing Facility Permit Application, effective ~~4-23-13~~ ~~4-23-12~~, which is adopted and incorporated by reference in subsection 62-710.800(3), F.A.C.

(7) Used Oil Processing Facility Closing Cost Estimate Form, effective ~~4-23-13~~ ~~4-23-12~~, which is adopted and incorporated by reference in paragraph 62-710.800(6)(b), F.A.C.

Rulemaking Authority 120.53(1), 403.061 FS. Law Implemented 403.754, 403.769 FS. History—New 12-23-96, Amended 6-9-05, 1-4-09, 4-23-13,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-730.020	Definitions
62-730.021	References, Variances and Case-by-Case Regulations
62-730.030	Identification of Hazardous Waste
62-730.150	General
62-730.160	Standards Applicable to Generators of Hazardous Waste
62-730.161	Emergency Identification Numbers
62-730.170	Standards Applicable to Transporters of Hazardous Waste
62-730.171	Transfer Facilities
62-730.180:	Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
62-730.181	Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities
62-730.183	Land Disposal Restrictions
62-730.185	Standards for Universal Waste Management
62-730.186	Universal Pharmaceutical Waste
62-730.220	Applications for Permits and Other Authorizations
62-730.265	Clean Closure Plans at Unpermitted Facilities and Subpart H Remedial Action Plans.
62-730.900	Forms

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of this proposed rule is to amend rules identified in the Department's 2016-2017 Regulatory Plan as needing to be amended to increase efficiency and internal consistency by

adopting federal regulations by reference, making conforming changes for consistency with federal regulations, and making technical corrections.

RULEMAKING AUTHORITY: 120.53, 403.061, 403.0611, 403.087, 403.0877, 403.151, 403.704, 403.707, 403.72, 403.721, 403.722, 403.7234, 403.724, 403.727, 403.8055, FS.

LAW IMPLEMENTED: 120.52, 120.53, 120.54, 120.55, 403.061, 403.0611, 403.0875, 403.0877, 403.091, 403.151, 403.704, 403.707, 403.72, 403.721, 403.722, 403.7222, 403.723, 403.7234, 403.724, 403.727, FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO: Julie Rainey, Department of Environmental Protection, MS 4560, 2600 Blair Stone Road, Tallahassee, 32399-2400 or email at Julie.c.rainey@floridadep.gov

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-730.020 Definitions.

(1) The Department adopts by reference the definitions contained in 40 Code of Federal Regulations (CFR) 260.10 revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-09039-2015> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-06405>~~, except for the optional addition of “or 267.101” to subsection (2), of the definition of “facility” in the Federal Register dated September 8, 2005 (70 FR 53419).

(2) No change

(3)(a) No change

(b) Unless specifically indicated otherwise, when used in any provisions as may be adopted in this chapter from 40 C.F.R. Parts 124 and 260 through 273: “United States” shall mean the State of Florida; “U.S. Environmental Protection Agency” or “EPA” shall mean DEP; and “Administrator” or “Regional Administrator” or “State Director” shall mean Secretary (including the Secretary’s designee, where appropriate).

1. Substitutions as described in paragraph (3)(b), of this rule, shall not be made in 40 C.F.R.: 124.6(e); 124.10(c)(1)(ii); 260.10; 260.11(a); 261.4(a)(23); 261.4(a)(24)(v)(B); 261.4(h)(4)(iii); 261.10; 261.11; 261.39(a)(5); 261.40; 261.41; 261.143(e)(1)(i)(D); 261.143(e)(1)(ii)(D); 261.147(f)(1)(i)(C); 261.147(f)(1)(ii)(D); 261.147(g)(2)(i); 261.147(g)(2)(ii); Part

261, Appendix IX; 262.20(a)(3)(ii); 262.24(a)(3); 262.24(g); 262.25; Part 262, Subparts E, F and H; 263.20(a)(2); 263.20(a)(4)(iv); 263.20(a)(4)(v); 263.20(a)(8); 263.20(c); 263.20(e)(2); 263.20(f)(2); 263.20(g); 263.20(g)(4); 264.12(a)(1); 264.12(a)(2), 264.12(a)(3); 264.12(a)(4); 264.71(a)(2)(v); 264.71(a)(3), 264.71(d); 264.71(f)(4); 264.71(j); 264.1082(c)(4)(ii); 265.12(a)(1); 265.12(a)(2); 265.12(a)(3); 265.12(a)(4); 265.71(a)(2)(v); 265.71(a)(3); 265.71(d); 265.71(f)(4); 265.71(j); 265.1083(c)(4)(ii); 268.1(e)(3); 268.2(j); 268.13; 268.40(b); 270.2; 270.10(e)(2) and (3); 270.10(f)(2) and (3); 270.10(g)(1); 270.11(a)(3); 270.32(b)(2); 270.72(a)(5) and (b)(5); and 273.32(a)(3).

2. through 3. No change

(c) Any reference to the Federal Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (RCRA) and its amendments, within 40 C.F.R. Part 124 and Parts 260 through 273 as adopted by reference herein, shall be construed to refer to comparable provisions of the Florida Resource Recovery and Management Act (FRRMA) as established in Part IV of Chapter 403, F.S., and the Federal Solid Waste Disposal Act, as amended.

(d) through (e) No change

(4) through (5) No change

(6) ~~“Episodic generator” means a generator of hazardous waste who temporarily changes status based on one time or periodic events, but not more than one time per year, for example, a Small Quantity Generator (SQG) who becomes a Large Quantity Generator (LQG) for one month every two years when sludge is cleaned out of plating tanks. The episodic generator category is solely for notification purposes, and does not change other regulatory requirements that apply based on the temporary status change.~~

Rulemaking Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.72, 403.721 FS. History—New 5-28-81, Amended 9-8-81, 12-6-81, 11-25-82, 5-19-83, 1-5-84, 8-24-84, 7-5-85, Formerly 17-30.02, Amended 9-19-86, 10-31-86, 4-13-88, Formerly 17-30.020, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.020, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09, 10-12-11, 4-23-13, 11-27-13, 6-17-15, 4-5-16,_____.

62-730.021 References, Variances and Case-by-Case Regulations.

The Department adopts by reference the following Sections of 40 CFR Part 260 revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-09040-2015> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-06406>~~ for publications incorporated by reference, 260.11 except for the optional amendments to 260.11(c)(1), 260.11(c)(3)(xxvii) and 260.11(d)(1) in the Federal Register dated September 8, 2005 (70 FR 53419); for general requirements which apply to rulemaking petitions, 260.20; for

petitions for equivalent testing or analytical methods, 260.21; for petitions to exclude a waste at a particular facility, 260.22; for petitions to include additional hazardous wastes, 260.23; for variances from classification as a solid waste, 260.30; for standards and criteria for variances from classification as a solid waste, 260.31; for variances to be classified as a boiler, 260.32; for procedures for variances from classification as a solid waste or to be classified as a boiler, or for non-waste determinations, 260.33; for standards and criteria for non-waste determinations, 260.34; for additional regulation of certain hazardous waste recycling activities on a case-by-case basis, 260.40; for procedures for case-by-case regulation of hazardous waste recycling activities, 260.41; for notification requirement for hazardous secondary materials, 260.42; and for legitimate recycling of hazardous secondary materials, 260.43. The language of 40 C.F.R. 260.11 in effect on September 8, 2005 remains in effect.

Rulemaking Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.721 FS. History—New 7-5-85, Formerly 17-30.021, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.021, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 4-6-06, 5-1-07, 4-25-08, 5-8-09, 10-12-11, 4-23-13, 4-5-16, 8-2-16,_____.

62-730.030 Identification of Hazardous Waste.

(1) The Department adopts by reference 40 CFR Part 261 revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-090412015> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-06407>~~, and all appendices, with the exceptions described in paragraphs (1)(a) and (b) through (e) of this rule. 40 C.F.R. Part 261 [as adopted in this subsection] contains EPA’s rules on the identification and listing of hazardous waste. No delisting published by EPA in 40 C.F.R. Part 261 is effective in Florida until it is adopted by the Department.

(a) The following sections that are applicable only to unauthorized states: 40 C.F.R. 261.149 and 261.150.

~~(a) 40 C.F.R. 261.4(b)(16) [Reserved].~~

~~(b) The optional amendments to 40 C.F.R. 261.4(b) in the Federal Registers dated May 20, 1992 (57 FR 21524), July 1, 1992 (57 FR 29220) and February 11, 1999 (64 FR 6806).~~

~~For the optional amendments in paragraph (1)(b), of this rule, the language in effect immediately prior to the effective date of the referenced Federal Registers remains in effect.~~

(b)(e) The optional addition of “267” to 40 C.F.R. 261.7(a)(1) in the Federal Register dated September 8, 2005 (70 FR 53419); the optional amendments to 40 C.F.R. 261.3(a)(2)(iv)(A), (B), (D), (F) and (G) in the Federal Register dated October 4, 2005 (70 FR 57769); and the optional addition of “267” to 40 C.F.R. 261.5(b), 261.5(e)intro , 261.5(f)(2), 261.5(g)(2), 261.6(a)(3), 261.6(c)(1), 261.6(d), 261.7(a)(1), 261.7(a)(2), and 261.30(c) in the Federal Register dated March

18, 2010 (75 FR 12989) <http://www.flrules.org/Gateway/reference.asp?No=Ref-00590>.

For the optional amendments in paragraph (1)(c) of this rule, the language in effect on the date of the referenced Federal Registers remains in effect.

~~(2) 40 C.F.R. 261.5(g)(3)(iii) [as adopted in subsection 62-730.030(1), F.A.C.] shall refer to hazardous waste management programs approved by EPA.~~

(2)(3) A very conditionally exempt small quantity generator (VSQG) ~~(CESQG)~~ which chooses to send its hazardous waste to an off-site treatment, storage or disposal facility shall document delivery of its hazardous waste through written receipts and other records which are retained for at least three years. The written receipts and other records shall include names and addresses of the generator and the treatment, storage or disposal facility, the type and amount of hazardous waste delivered, and the date of shipment.

(3)(4) 40 C.F.R. 261.2(f) [as adopted in subsection 62-730.030(1), F.A.C.] requires respondents in actions to enforce regulations to provide appropriate documentation to support their claim that a material is not a solid waste or is conditionally exempt from regulation.

(a) With respect to a claim that a substance (which if otherwise disposed of would be a hazardous waste under this chapter) is not a solid waste because it is a mixture of domestic sewage and other wastes that passes through a sewer system to a publicly owned treatment works (POTW) for treatment under 40 C.F.R. 261.4(a)(1) [as adopted in subsection 62-730.030(1), F.A.C.], “appropriate documentation” shall mean a copy of notification to the POTW and the Department in accordance with the requirements of subsection 62-625.600(15), F.A.C., including a copy of the certification required by paragraph 62-625.600(15)(d), F.A.C. In order to avoid a penalty for disposal of hazardous waste without proper notification, the documentation must have been submitted to the POTW on a date prior to the date of the Department’s inspection of the facility and prior to the Department’s request for such documentation. This provision applies to all hazardous waste generators, including VSQGs ~~CESQGs~~, which discharge more than 15 kilograms of non-acute hazardous wastes in any calendar month, or any quantity of acute hazardous wastes.

(b) With respect to a claim that hazardous waste is exempt from regulation because it was disposed of or generated by one or more VSQGs ~~CESQGs~~ who meet the requirements of 40 C.F.R. 260.10, 262.13(f), and 262.14 ~~261.5~~ [as adopted in subsections 62-730.020(1) and 62-730.160 ~~62-730.030(1)~~, F.A.C.] “appropriate documentation” shall mean written records from each applicable VSQG ~~CESQG~~, detailing the quantities of hazardous waste generated by that VSQG ~~CESQG~~, and the method and location of disposal of such hazardous waste.

Rulemaking Authority 403.72, 403.721, 403.8055 FS. Law Implemented 403.72, 403.721 FS. History—New 5-28-81, Amended 9-8-81, 12-6-81, 3-4-82, 11-25-82, 5-19-83, 1-5-84, 8-24-84, 12-18-84, 7-5-85, 10-3-85, Formerly 17-30.03, Amended 5-5-86, 8-25-86, 9-19-86, 10-31-86, 3-31-87, 4-13-88, Formerly 17-30.030, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.030, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09, 6-8-10, 10-12-11, 6-29-12, 4-23-13, 11-27-13, 6-17-15, 4-5-16,_____.

62-730.150 General.

(1) No change

(2)(a) All generators (except very small quantity generators as defined in 40 C.F.R. 260.10 [as adopted in subsection 62-730.020(1), F.A.C.] that are ~~conditionally~~ exempt pursuant to 40 C.F.R. ~~262.14~~ ~~264.5~~ [as adopted in subsection 62-730.160 62-730.030(1), F.A.C.] and are not experiencing an episodic event as defined in 40 C.F.R. 262 Subpart L [as adopted in subsection 62-730.020(1), F.A.C.]], all transporters, and all persons who own or operate a facility which treats, stores, or disposes of hazardous waste, must notify the Department using Form 62-730.900(1)(b), “8700-12FL – Florida Notification of Regulated Waste Activity,” effective date 4-23-13, which is hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02074>), unless they have previously notified. This form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/forms-chapter-62-730-hazardous-waste> http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS ~~4500~~ ~~4560~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. In addition, transporters are subject to the reporting requirements of Rule 62-730.170, F.A.C.

(b) All generators, transporters, or persons who own or operate a facility which treats, stores, or disposes of hazardous waste, and everyone required to notify under Rule 62-730.181, F.A.C., shall notify the Department of all changes in status and shall use the “8700-12FL – Florida Notification of Regulated Waste Activity,” Form 62-730.900(1)(b), [adopted by reference in paragraph 62-730.150(2)(a), F.A.C.], to do so. Changes in status include, but are not limited to: changes in the facility name, location, mailing address, business form, ownership or management control of the facility or its operations; ownership of the real property where the facility is located; facility contact person; type of regulated waste activity; changes in the amount of hazardous waste generated per month that put the facility in a different generator category ~~other than episodic generators~~, going out of business; tax default; or petition for bankruptcy protection.

(3) The “RCRA Subtitle C Site Identification and Hazardous Waste Report 2011 Hazardous Waste Report Form, Form 62-730.900(8), effective date ~~_____~~ 4-23-13,” is hereby adopted and incorporated by reference (URL ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-02085>~~). This form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/forms-chapter-62-730-hazardous-waste> http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS ~~4500~~ ~~4560~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. This form is only to be used for submitting biennial reports pursuant to Chapter 62-730.160(2), F.A.C. It should not be used to notify the Department of hazardous waste activities. DEP Form 62-730.900(1)(b), “8700-12FL – Florida Notification of Regulated Waste Activity,” effective date 4-23-13, shall be used for notification purposes.

(4) through (6) No change.

Rulemaking Authority 403.0611, 403.087, 403.704, 403.721, 403.7234, 403.8055 FS. Law Implemented 403.061, 403.0611, 403.091, 403.151, 403.704, 403.721, 403.722, 403.7222, 403.7234 FS. History—New 5-19-82, Amended 1-5-84, 7-5-85, 7-22-85, Formerly 17-30.15, Amended 5-5-86, Formerly 17-30.150, Amended 8-13-90, 10-14-92, 10-7-93, Formerly 17-730.150, Amended 1-5-95, 9-7-95, 10-10-02, 10-1-04, 1-29-06, 4-22-07, 1-4-09, 4-23-13,_____.

62-730.160 Standards Applicable to Generators of Hazardous Waste.

(1) The Department adopts by reference 40 CFR Part 262 revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-09042-2014> <http://www.flrules.org/Gateway/reference.asp?No=Ref-04896>, including the Appendix, with the exception of 40 CFR ~~262.16(c)~~ ~~262.34(e)~~, ~~the Project XL site specific regulations in 262.10(j) and Subparts I and J~~, and the optional addition of “267” to 262.10(f), 262.10(j)(1), 262.10(k), 262.11(d), 262.34(b), 262.34(f), 262.34(i), and 262.41(b) in the Federal Register dated March 18, 2010 (75 FR 12989) <http://www.flrules.org/Gateway/reference.asp?No=Ref-00590>

~~(2) A primary exporter of hazardous waste shall file a copy of the advance notification required by 40 C.F.R. 262.53, the annual reports required by 40 C.F.R. 262.56, and the exception reports required by 40 C.F.R. 262.55 with the Department.~~

~~(3) Generators of hazardous waste shall complete the following sections of the Uniform Hazardous Waste Manifest: Items 1 through 15 and the applicable parts of item 16, if required for international shipments, on Form 8700 22, and Items 21 through 32, on Form 8700 22A. Copies of a list of vendors which supply the form and instructions may be~~

~~obtained by contacting the Hazardous Waste Management Section, MS 4555, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.~~

~~(2) (4) Large Quantity Generators, as defined in 40 C.F.R. Part 260.10; Operating and Postclosure Permittees that generate hazardous waste; and all HSWA Corrective Action Permittees that are also a Large Quantity Generator of hazardous waste Generators of 1000 kilograms or greater of hazardous waste in a calendar month shall submit biennial reports required by 40 C.F.R. 262.41 [as adopted in subsection 62-730.160(1), F.A.C.] to the Department on Form 62-730.900(8) (“RCRA Subtitle C Site Identification and Hazardous Waste Report 2011 Hazardous Waste Report Form”) as adopted in subsection 62-730.150(3), F.A.C. Rule 62-730.900, F.A.C., contains information on obtaining a copy of this form and instructions.~~

~~(3) (5) Generators of hazardous waste who accumulate hazardous waste on-site under 40 CFR 262.16, and 262.17 262.34 [as adopted in subsection 62-730.160(1), F.A.C.], shall maintain written documentation of the inspections required under 40 CFR Part 265 [as adopted in subsection 62-730.180(2), F.A.C.], and 40 C.F.R. 262.16 and 262.17 [as adopted in subsection 62-730.160(1), F.A.C.]. The generator shall keep the written documentation of the inspections under this section for at least three years from the date of the inspection. At a minimum, this documentation shall include the date and time of the inspection, the legibly printed name of the inspector, the number of containers, the condition of the containers, a notation of the observations made, and the date and nature of any repairs or other remedial actions.~~

~~(4) (6) Generators required to inspect containers under 40 C.F.R. 262.16(b)(2)(iv) and 262.17(a)(1)(v), [as adopted in subsection 62-730.160(1), F.A.C.] shall maintain adequate aisle space between containers of hazardous waste to allow for inspection of the condition and labels of the individual containers.~~

~~(5) 40 C.F.R. 262.14(a)(5)(iii) [as adopted in subsection 62-730.160(1), F.A.C.] shall refer to hazardous waste management programs approved by EPA.~~

~~Rulemaking Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.72, 403.721 FS. History—New 5-19-82, Amended 5-20-82, 3-31-83, 1-5-84, 2-2-84, 8-24-84, 7-5-85, 10-3-85, Formerly 17-30.16, Amended 9-19-86, 10-31-86, 3-31-87, 5-26-87, 6-28-88, Formerly 17-30.160, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.160, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09, 6-8-10, 10-12-11, 6-29-12, 4-23-13, 6-17-15, 4-5-16,_____.~~

62-730.161 Emergency Identification Numbers.

(1) 40 C.F.R. ~~262.18(a)~~ ~~262.12(a)~~ requires all generators to obtain an EPA identification number before offering hazardous

waste for transport. Under certain special circumstances, the Department processes applications for an emergency identification number [referred to as an emergency EPA/DEP I.D. number]. These special circumstances are:

(a) through (c) No change.

(2) In order to apply for an emergency EPA/DEP I.D. number, the generator of the hazardous waste(s) shall:

(a) Send the Department a completed Form 62-730.900(3), Application for a Hazardous Waste Emergency EPA/DEP Identification Number (“Emergency I.D. Form”), effective date 4-23-13, which is hereby adopted and incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02078>). This form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/forms-chapter-62-730-hazardous-waste> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm~~, or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS 4500 ~~4560~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and,

(b) No change.

(3) through (4) No change.

(5) A generator with an emergency EPA/DEP I.D. number who generates greater than 1000 kg of hazardous waste in a calendar month, shall submit a biennial report as described in subsection 62-730.160(2)(5), F.A.C.

Rulemaking Authority 403.704, 403.72, 403.721 FS. Law Implemented 403.704, 403.721 FS. History—New 1-5-95, Amended 1-29-06, 4-23-13,_____.

62-730.170 Standards Applicable to Transporters of Hazardous Waste.

(1) The Department adopts by reference 40 C.F.R. Part 263 revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-09043> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-04897>~~, with the exception of the optional addition of “267” to 263.12 in the Federal Register dated March 18, 2010 (75 FR 12989)

<http://www.flrules.org/Gateway/reference.asp?No=Ref-00590>.

(2) In addition to the requirements of subsection (1), of this rule, no person shall transport a hazardous waste within the state for which either a manifest is required under 40 C.F.R. Part 262 [as adopted in subsection 62-730.160(1), F.A.C.] or a reclamation agreement is entered between a generator and recycler pursuant to 40 CFR 263.20 [as adopted in subsection 62-730.170(1), F.A.C.] unless compliance with the following special requirements have been demonstrated.

(a) No change.

(b) Evidence of coverage shall include submittal of an originally signed copy of one or more of the following forms, which are hereby adopted and incorporated by reference. These forms can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/forms-chapter-62-730-hazardous-waste> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm~~ or by contacting the Permitting and Compliance Assistance Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

1. through 3. No change.

(c) through (i) No change.

(3) No change.

Rulemaking Authority 403.704, 403.721, 403.724, 403.8055 FS. Law Implemented 403.704, 403.721, 403.724 FS. History—New 11-8-81, Amended 5-31-84, 9-13-84, Formerly 17-30.17, Amended 9-19-86, 3-31-87, 5-26-87, 6-28-88, Formerly 17-30.170, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.170, Amended 1-5-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09, 10-12-11, 4-23-13, 6-17-15, 4-5-16,_____.

62-730.171 Transfer Facilities.

(1) through (5) No change.

(6) The transfer facility shall maintain a written record of the items listed below. This recordkeeping requirement applies to all hazardous waste that enters and leaves the transfer facility, including hazardous waste generated by very small quantity generators (VSQGs) CESQGs. Records required in this subsection shall be maintained in permanent form for at least three years and shall be available for inspection by the Department. The records shall be kept at the facility unless the Department gives written approval to do otherwise.

(a) Manifest number for each shipment that enters and leaves the facility, or, for a shipment from a VSQG CESQG without a manifest, an identifying number from the shipping document.

(b) No change.

(c) The generator's name and the EPA/DEP identification number. For VSQGs CESQGs without an EPA/DEP identification number, the record shall include the name and address of the generator.

(d) No change.

(7) through (8) No change.

Rulemaking Authority 403.0877, 403.704, 403.721 FS. Law Implemented 403.0877, 403.704, 403.721 FS. History—New 3-2-86, Amended 6-28-88, Formerly 17-30.171, Amended 8-13-90, 9-10-91, 10-14-92, Formerly 17-730.171, Amended 1-5-95, 1-29-06, 10-28-08, 1-4-09, 4-23-13,_____.

62-730.180 Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities.

(1) The Department adopts by reference 40 C.F.R. Part 264 revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-09044> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-04898>~~, including all appendices, with the exceptions described in paragraphs (1)(a) through (c) of this section.

(a) through (c) No change.

(2) The Department adopts by reference 40 C.F.R. Part 265 revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-09045> ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-04899>~~, including all appendices, with the exceptions described in paragraphs (2)(a) through (e) of this section.

(a) through (e) No change.

(3) through (5) No change.

(6) Unless otherwise exempted from corrective action financial assurance requirements pursuant to state or federal law, the owner or operator of a hazardous waste facility shall demonstrate compliance with the financial assurance requirements of 40 C.F.R. Part 264 Subpart H [as adopted by reference in subsection 62-730.180(1), F.A.C.], or 40 C.F.R. Part 265 Subpart H [as adopted by reference in subsection 62-730.180(2), F.A.C.], by using the following forms, which are hereby adopted and incorporated by reference. These forms can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/forms-chapter-62-730-hazardous-waste> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm~~ or by contacting the Permitting and Compliance Assistance Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(a) through (r) No change.

Rulemaking Authority 403.704, 403.721, 403.724, 403.8055 FS. Law Implemented 403.704, 403.721, 403.724 FS. History—New 5-19-82, Amended 3-4-82, 5-20-82, 7-14-82, 8-30-82, 10-7-82, 11-25-82, 2-3-83, 3-31-83, 5-19-83, 1-5-84, 2-2-84, 11-7-84, 7-5-85, 10-3-85, Formerly 17-30.18, Amended 5-5-86, 9-19-86, 10-31-86, 3-31-87, 4-13-88, 6-28-88, Formerly 17-30.180, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.180, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09, 10-12-11, 4-23-13, 6-17-15,_____.

62-730.181 Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities.

(1) The Department adopts by reference 40 C.F.R. Part 266 revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-09046>

~~2012~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-02189>~~, with the exception of the optional addition of “267” to 266.22, 266.70(d), 266.80(b), 266.101(c)(1), and 266.101(c)(2) in the Federal Register dated March 18, 2010 (75 FR 12989) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-00590>~~.

(2) No change.

Rulemaking Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.721 FS. History—New 7-5-85, Amended 10-3-85, 5-5-86, 4-13-88, Formerly 17-30.181, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.181, Amended 1-5-95, 9-7-95, 2-25-96, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09, 10-12-11, 4-23-13, 4-5-16,_____.

62-730.183 Land Disposal Restrictions.

The Department adopts by reference 40 C.F.R. Part 268 revised as of July 1, 2017 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-09047>~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-01167>~~, and all appendices, with the exception of subsections (1) and (2) of this section.

(1) through (2) No change.

Rulemaking Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.721 FS. History—New 1-25-89, Formerly 17-30.183, Amended 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.183, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 4-6-06, 5-1-07, 4-25-08, 5-8-09, 10-12-11, 6-29-12,_____.

62-730.185 Standards for Universal Waste Management.

(1) The Department adopts by reference 40 C.F.R. Part 273 revised as of July 1, 2017 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-09048>~~ ~~2008~~.

(2) No change.

Rulemaking Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.061, 403.704, 403.721 FS. History—New 9-7-95, Amended 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09,_____.

62-730.186 Universal Pharmaceutical Waste.

(1) The requirements of this section apply to:

(a) No change.

(b) Large and small quantity handlers of universal pharmaceutical waste as defined in paragraphs 62-730.186(4)(f) and (l), F.A.C., including persons who handle universal pharmaceutical waste on an infrequent ~~or episodic~~ basis, as well as those who handle such waste routinely or periodically.

(2) through (12) No change.

(13) This section constitutes state authorization for reverse distributors and wholesalers to manage hazardous pharmaceutical waste from very small quantity conditionally exempt hazardous waste generators (VSQGs ~~CESQGs~~) and

authorization for VSQGs ~~CESQGs~~ to ensure delivery of their hazardous waste pharmaceuticals to a reverse distributor or wholesaler, pursuant to 40 C.F.R. 262.14(a)(5)(iii) ~~261.5(f)(3)(iii)~~ and 40 C.F.R. 261.5(g)(3)(iii) [as adopted in subsection 62-730.160(1) ~~62-730.030(1)~~, F.A.C.] Wholesalers are authorized by this section to manage hazardous pharmaceutical waste only from the VSQGs ~~CESQGs~~ to whom they distributed the pharmaceutical(s) which became waste.

Rulemaking Authority 403.061, 403.151, 403.704, 403.72, 403.721 FS. Law Implemented 120.52, 120.54, 403.061, 403.151, 403.704, 403.72, 403.721 FS. History—New 4-22-07, Amended 1-4-09, 4-23-13,_____.

62-730.220 Applications for Permits and Other Authorizations.

(1) The Department adopts by reference the following sections of 40 C.F.R. Part 270 revised as of July 1, 2017 ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-09049>~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-06408>~~: 270.1(c) except for the Project XL site-specific regulations in 270.1(c)(2)(ix); 270.2, except for the optional amendments to the definition of “permit” and “Standardized Permit” in the Federal Register dated September 8, 2005 (70 FR 53419); 270.3; 270.4; 270.6; 270.10 except for the optional amendments to 270.10(a) and (h) in the Federal Register dated September 8, 2005 (70 FR 53419); 270.11; 270.12 through 270.28; 270.30; 270.31; 270.32(b)(2); 270.33; 270.51 except for the optional amendments to 270.51(e) in the Federal Register dated September 8, 2005 (70 FR 53419); 270.61; 270.62; 270.65; 270.66; 270.68; 270.72; 270.79 through 270.230; and 270.235. For the optional amendments excepted in this section, the language in effect on September 8, 2005 remains in effect.

(2)(a) Applicants for hazardous waste permits shall use the following forms, which are hereby adopted and incorporated by reference, and shall comply with subsection (7) of this section. These forms can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/forms-chapter-62-730-hazardous-waste> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm~~ or by contacting the Permitting and Compliance Assistance Program ~~Hazardous Waste Regulation Section~~, MS 4500 ~~4560~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

1. through 3. No change.

(b) No change.

(3) through (4) No change.

(5) 40 C.F.R. 262.14(a)(5)(iii) ~~261.5(f)(3)(iii)~~ and 40 C.F.R. 261.5(g)(3)(iii) [as adopted in subsection 62-730.160(1) ~~62-730.030(1)~~, F.A.C.] provide that waste generated by very conditionally exempt small quantity generators (“VSQG”

CESSQG waste”) must be delivered to certain specified facilities, including a facility “authorized to manage hazardous waste by a State with a hazardous waste management program approved under Part 271 of this chapter.” Florida is such a state. The Department’s authorization to manage VSQG CESSQG waste shall include facility-specific operating conditions, including location, generator responsibilities, amount and type of wastes, time limits, and recordkeeping, as appropriate to the request and generator status of the authorized person.

(6) through (11) No change.

Rulemaking Authority 403.061, 403.087, 403.704, 403.721, 403.722, 403.8055 FS. Law Implemented 403.151, 403.704, 403.707, 403.721, 403.722, 403.723, 403.727 FS. History–New 7-9-82, Amended 1-5-84, 8-19-84, 7-22-85, Formerly 17-30.22, Amended 9-23-87, 6-28-88, 12-12-88, Formerly 17-30.220, Amended 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.220, Amended 1-5-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, 5-1-07, 4-25-08, 5-8-09, 10-12-11, 4-23-13, 4-5-16,_____.

62-730.265 Clean Closure Plans at Unpermitted Facilities and Subpart H Remedial Action Plans.

(1) through (3) No change.

(4) The Department periodically prepares or updates a summary of options for management of environmental media (soil, sediments, groundwater, surface water) that contains hazardous waste. This summary is updated from time to time and is referenced for informational purposes only. Use of the summary is not mandatory. A copy can be obtained by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or by locating the publication entitled “Management of Contaminated Media Under RCRA” at <https://floridadep.gov/waste/permitting-compliance-assistance/content/hazardous-waste-publications> <http://www.dep.state.fl.us/waste/categories/hazardous/pages/publications.htm>.

Rulemaking Authority 403.704, 403.707, 403.721, 403.722 FS. Law Implemented 403.704, 403.707, 403.721, 403.722 FS. History–New 1-29-06,_____.

62-730.900 Forms.

Forms are listed here by form number. Copies of all forms can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/forms-chapter-62-730-hazardous-waste> http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-730.htm or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. In order to facilitate the initial submission

of a complete application, applicants for hazardous waste permits are encouraged to use the Hazardous Waste Facility Permit Application Instructions, which provide guidance to the forms and assistance in assuring that the application complies with the provisions of 40 C.F.R. Part 270 and this chapter.

(1) through (7) No change.

(8) RCRA Subtitle C Site Identification and Hazardous Waste Report 2011 Hazardous Waste Report, _____ 4-23-13 [Form number 62-730.900(8)], which is adopted and incorporated by reference in subsection 62-730.150(3), F.A.C. Rulemaking Authority 120.53, 403.061, 403.0611 FS. Law Implemented 120.52, 120.53, 120.55, 403.0611, 403.0875, 403.7234 FS. History–New 11-30-82, Amended 4-1-83, 5-5-83, 8-21-83, 3-1-84, 5-31-84, 9-17-84, 10-29-84, 2-11-85, Formerly 17-1.207(1), (3)-(6), Amended 2-6-86, 4-8-86, 9-23-87, Formerly 17-30.401, Amended 6-28-88, 12-12-88, Formerly 17-30.900, Amended 7-3-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.900, Amended 1-5-95, 10-10-02, 1-29-06, 4-22-07, 10-28-08, 1-4-09, 4-23-13,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-737.150	Applicability and Exemptions
62-737.400	Requirements and Management Standards for Handlers and Transporters of Spent Universal Waste Lamps and Devices
62-737.900	Forms

PURPOSE, EFFECT AND SUMMARY: The purpose and effect of this proposed rule is to amend rules to increase efficiency and internal consistency by adopting federal regulations by reference, making conforming changes with other state and federal regulations, and making technical corrections.

RULEMAKING AUTHORITY: 403.061, 403.7186, F.S.

LAW IMPLEMENTED: 403.704, 403.7186, 403.721,

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

403.8055, F.S. **WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO:** Julie Rainey, Department of Environmental Protection, MS 4560, 2600 Blair Stone Road, Tallahassee, 32399-2400 or email at Julie.c.rainey@florida.dep.gov **SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.**

THE FULL TEXT OF THE PROPOSED RULE IS:

62-737.150 Applicability and Exemptions.

(1) No change.

(2) The provisions of this chapter, except where specified, apply to spent mercury-containing lamps and devices that are characteristically hazardous wastes for mercury per 40 C.F.R. 261.24, as adopted by reference under Rule 62-730.030, F.A.C. When managed in accordance with this chapter, these wastes are considered to be universal wastes in Florida and are also subject to the applicable 40 C.F.R. Part 273 requirements, revised as of July 1, 2017 <http://www.flrules.org/Gateway/reference.asp?No=Ref-09048> and adopted here by reference as adopted by reference under Rule 62-730.185, F.A.C.

(3) through (4) No change.

(5) References in 40 C.F.R. Part 273 [as adopted in subsection 62-737.150(2), F.A.C.] to 40 C.F.R. Part 261 [as adopted in subsection 62-730.030(1), F.A.C.] shall mean rules adopted by DEP regarding identification of hazardous wastes; references to 40 C.F.R. Part 262 [as adopted in subsection 62-730.160(1), F.A.C.] shall mean rules adopted by the Department regarding generators of hazardous wastes; references to 40 C.F.R. Parts 264 [as adopted in subsection 62-730.180(1), F.A.C.] and 265 [as adopted in subsection 62-730.180(2), F.A.C.] shall mean rules adopted by the Department regarding treaters, storers and disposers of hazardous wastes; references to 40 C.F.R. Part 266 [as adopted in subsection 62-730.181(1), F.A.C.] shall mean rules adopted by the Department regarding standards for the management of specific hazardous waste; references to 40 C.F.R. Part 268 [as adopted in subsection 62-730.183, F.A.C.] shall mean rules adopted by DEP regarding land disposal restrictions; and references to Section 3010 of RCRA shall mean notification requirements of Florida Law. The above-mentioned Department rules are found in Chapter 62-730, "Hazardous Waste." F.A.C.

(6) When the same word, phrase, or term is defined in Rule 62-737.200, F.A.C., and 40 C.F.R. Part 273 [as adopted in subsection 62-737.150(2), F.A.C.] and the definitions are not identical, the definitions as given in Rule 62-737.200, F.A.C., shall apply.

(7) Unless specifically indicated otherwise, when used in any such provisions as adopted from 40 C.F.R. Part 273 [as adopted in subsection 62-737.150(2), F.A.C.], United States shall mean the State of Florida, EPA shall mean the Department, and Administrator or Regional Administrator shall mean the Secretary of the Department or the Secretary's designee, where appropriate; except substitutions as described in this paragraph shall not be made in 40 C.F.R. 273.32(a)(3) and 273.70.

(8) Any reference to 40 C.F.R. Parts 124 or 270 as adopted by reference in 40 C.F.R. Part 273 [as adopted in subsection 62-737.150(2), F.A.C.] shall mean the permitting provisions in Chapter 62-4 or 62-730, F.A.C., or Section 403.722, F.S.

(9) Any reference to the Resource Conservation and Recovery Act of 1976 (RCRA) as adopted by reference in 40 C.F.R. Part 273 [as adopted in subsection 62-737.150(2), F.A.C.] shall be construed to refer to comparable provisions of the Florida Resource Recovery and Management Act as established in Part IV of Chapter 403, F.S.

Rulemaking Authority 403.061, 403.7186 FS. Law Implemented 403.7186, 403.721 FS. History—New 5-10-95, Amended 5-20-98, _____.

62-737.400 Requirements and Management Standards for Handlers and Transporters of Spent Universal Waste Lamps and Devices.

(1)(a) All universal waste lamp or device handlers and transporters shall comply with the applicable 40 C.F.R. Part 273 requirements [as adopted in subsection 62-737.150(2), F.A.C.] ~~adopted by reference under Chapter 62-730, F.A.C.,~~ and the requirements of this chapter.

(b) No change.

(2) No change.

(3)(a) Registration:

1. No change.

2. Before beginning operations and annually thereafter by March 1, a handler or a transporter of spent universal waste lamps or devices, excluding a person specified in paragraph 1., above, and the sponsor of a reverse distribution program shall register by notifying the Department of its intent to be a handler or transporter or to operate a reverse distribution program, and certifying that it has employee training procedures in place for the proper handling, emergency response, and containment and cleanup of its spent universal waste lamps or devices. This registration/notification shall be made by submitting a completed Form 62-730.900(1)(b), "8700-12FL – Florida Notification of Regulated Waste Activity," effective date 1-4-09, which is hereby adopted and incorporated by reference [this Form can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/forms-chapter-62-730-hazardous-waste> ~~<http://www.dep.state.fl.us/waste/quick-topics/forms/pages/62-730.htm>~~, or by contacting the ~~Permitting and Compliance Assistance Program~~ ~~Hazardous Waste Regulation Section~~, MS 4500 ~~4560~~, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400]; and

3. through 6. No change.

(b) No change.

(4) No change.

(5) Handlers and transporters shall manage universal waste lamps and devices in a way that prevents breakage, releases of their components to the environment, and their exposure to moisture. In the event of a release, the handler or transporter

must determine whether the cleanup residues (e.g., cleanup equipment and contaminated soils) resulting from the release are hazardous waste, and if so, must manage them in accordance with Chapter 62-730, F.A.C. The following management standards shall be observed in addition to the applicable requirements adopted under Rule 62-730.185, F.A.C., and the U.S. Department of Transportation 49 C.F.R. Parts 171 through 180, hazardous material regulations.

(a) No change.

(b) Universal waste lamps, devices or the containers in which they are stored shall be labeled or marked clearly as specified in 40 C.F.R. 273 [as adopted in subsection 62-737.150(2), F.A.C.], except for universal waste lamps crushed per paragraph (6)(b) below which shall be labeled “Crushed Mercury Lamps”. follows:

1. ~~For universal waste lamps, the words “Spent Mercury Containing Lamps for Recycling”, “Universal Waste Mercury Lamps”, “Waste Mercury Lamps” or “Used Mercury Lamps”;~~ except for those crushed per paragraph (6)(b) below which shall be labeled “Crushed Mercury Lamps”;

2. ~~For universal waste devices, except for thermostats, which shall be labeled per 40 C.F.R. 273.14(d), the words “Spent Mercury Containing Devices for Recycling”, “Universal Waste Mercury Devices”, “Waste Mercury Devices” or “Used Mercury Devices”;~~

(6) through (8) No change.

Rulemaking Authority 403.061, 403.7186 FS. Law Implemented 403.704, 403.7186, 403.721 FS. History—New 5-10-95, Amended 5-20-98, 1-4-09,_____.

62-737.900 Forms.

The following forms are hereby adopted and incorporated by reference. The forms are listed by form number, title, and effective date. The forms can be obtained on the internet at <https://floridadep.gov/waste/permitting-compliance-assistance/content/forms-chapter-62-737-management-spent-mercury> ~~http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-737.htm~~ or by contacting the Permitting and Compliance Assistance Program Hazardous Waste Regulation Section, MS 4500 4560, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(1) through (14) No change.

Rulemaking Authority 403.061, 403.7186 FS. Law Implemented 403.7186, 403.721 FS. History—New 5-10-95, Amended 5-20-98, 1-4-09,_____.

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:

64B6-2.003 Licensure by Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to revise the incorporated form to reflect a fee reduction.

SUMMARY: The incorporated form will be revised to reflect a fee reduction.

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 because a decrease in the cost of renewal of an active license would not create any new costs or adverse effects. 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: 456.017(1)(c), (6), 484.044, 484.0445(1), 484.0447 FS.

LAW IMPLEMENTED: 456.017(1)(c), 484.045, 484.0445(1), 456.013, 456.0635, 484.0447 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: Jennifer Wenhold, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-2.003 Licensure by Examination.

Any person desiring to be licensed as a hearing aid specialist shall apply to the Department at least one hundred twenty (120) days prior to the date the examination is to be administered.

(1) The Board, or its designee, shall certify for examination each applicant who:

(a) Has completed the Board of Hearing Aid Specialists State of Florida Examination Application for Licensure, Form DH-MQA 1155 (Revised 02/18 07/16), hereby adopted and incorporated by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07510>, the Board of Hearing Aid Specialists' website at <http://floridashearingaidspecialists.gov/applications/app-licensure-examination.pdf>

~~<http://www.doh.state.fl.us/mqa/HearingAid/index.html>, and remitted the application fee to the Board;~~

(b) through (f) No change.

(2) through (3) No change.

Rulemaking Authority 456.017(1)(c), (6), 484.044, 484.0445(1), 484.0447 FS. Law Implemented 456.017(1)(c), 484.045, 484.0445(1), 456.013, 456.0635, 484.0447 FS. History—New 8-9-84, Amended 1-20-85, Formerly 21JJ-4.01, 21JJ-4.001, Amended 12-21-86, 5-22-90, 3-5-91, Formerly 21JJ-2.003, Amended 8-18-93, 6-28-95, Formerly 61G9-2.003, Amended 1-24-02, 3-4-08, 5-28-09, 8-8-10, 10-26-16, .

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 29, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 27, 2017

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:

64B6-3.001 Application for Initial License

PURPOSE AND EFFECT: The Board proposes the rule amendment to revise the incorporated form to reflect a rate reduction.

SUMMARY: The incorporated form will be revised to reflect a rate reduction.

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 because a decrease in the cost of renewal of an active license would not create any new costs or adverse effects. 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: 484.044 FS.

LAW IMPLEMENTED: 456.013, 484.0447(4), (5), 484.045 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: Jennifer Wenhold, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-3.001 Application for Initial License.

(1) The Department shall issue a license to each applicant who has completed the appropriate form, paid the initial licensure fee, and whom the Board certifies has met the licensing requirements of Chapter 484, Part II, F.S., and minimal procedures and equipment requirements of Chapter 64B6-6, F.A.C. The application shall be made on the Board of Hearing Aid Specialists Initial Licensure Form, Form DH-MQA 1156 (revised 02/18 10/08), hereby adopted and incorporated by reference, and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-> or the Board of Hearing Aid Specialists' website at <http://floridashearingaidspecialists.gov/applications/app-initial-licensure.pdf>

~~<http://www.doh.state.fl.us/mqa/HearingAid/>.~~

(2) No change.

Rulemaking Authority 484.044 FS. Law Implemented 456.013, 484.0447(4), (5), 484.045 FS. History—New 5-14-87, Amended 4-8-90, Formerly 21JJ-3.001, 61G9-3.001, Amended 4-1-09, .

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialists
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Hearing Aid Specialists
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 29, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: March 15, 2018

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-4.003
RULE TITLE: Initial Licensure Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the fee and to reduce it.

SUMMARY: The fee will be reduced and language will be clarified.

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 because a decrease in the cost of renewal of an active license would not create any new costs or adverse effects. 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), 456.025(3), 484.044, 484.0447(4) FS.

LAW IMPLEMENTED: 456.013(2), 456.017, 484.0447(4) 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: Jennifer Wenhold, Executive Director,

Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-4.003 Initial Licensure Fee.

~~(1) The licensure fee for each applicant certified for licensure in the first year of a biennium shall be \$320.00 500.00.~~

~~(2) The licensure fee for each applicant certified for licensure in the second year of a biennium shall be \$320.00, except that during the renewal period the applicant shall pay the amount of the biennial renewal fee, under Rule 64B6-4.004, F.A.C., and the license issued shall be good for the next biennium.~~

Rulemaking Authority 456.013(2), 456.025(3), 484.044, 484.0447(4) FS. Law Implemented 456.013(2), 456.017, 484.0447(4) FS. History—New 1-10-84, Amended 1-20-85, Formerly 21JJ-5.02, 21JJ-5.002, Amended 1-4-87, 12-25-88, 8-19-91, Formerly 21JJ-4.006, 61G9-4.006, Amended 4-11-04, 11-4-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Hearing Aid Specialists
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Hearing Aid Specialists
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 29, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: March 15, 2018

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.351
RULE TITLE: Standards for Approval of Registered Pharmacy Technician Training Programs

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the approval date for accredited Registered Pharmacy Technician Training Programs.

SUMMARY: The approval date for accredited Registered Pharmacy Technician Training Programs will be updated.

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: 465.005, 465.014(4), (7) FS.

LAW IMPLEMENTED: 465.014(2), (4) 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: C. Erica White, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.351 Standards for Approval of Registered Pharmacy Technician Training Programs.

Pursuant to Section 465.014, F.S., in order to be registered as a pharmacy technician in Florida, an applicant must have completed a pharmacy technician training program approved by the Board. The standards for approval of a registered pharmacy technician training program are as follows.

(1) Preapproved pharmacy technician training programs. The standard for approval of Registered Pharmacy Technician Training programs provided or offered by accredited institutions or entities is whether the program or institution is accredited by one of the following organizations:

(a) Pharmacy technician training programs accredited on or before April 1, 2018 ~~2017~~, by the Pharmacy Technician Accreditation Commission (PTAC);

(b) Pharmacy technician training programs accredited on or before April 1, 2018 ~~2017~~ by the Accreditation Council on Pharmacy Education (ACPE);

(c) Pharmacy technician training programs accredited on or before April 1, 2018 ~~2017~~, by the American Society of Health-System Pharmacists (ASHP);

(d) Pharmacy technician training programs at institutions accredited on or before April 1, 2018 ~~2017~~, by the Southern Association of Colleges and Schools (SACS);

(e) Pharmacy technician training programs approved on or

before April 1, 2018 ~~2017~~, by the Florida Commission for Independent Education (CIE);

(f) Pharmacy technician training programs at institutions accredited on or before April 1, 2018 ~~2017~~, by the Council on Occupational Education (COE);

(g) Pharmacy technician training programs at institutions accredited on or before April 1, 2018 ~~2017~~, by the Middle States Commission on Secondary Schools;

(h) Pharmacy technician training programs at institutions accredited on or before April 1, 2018, by the Middle States Commission on Higher Education;

~~(i)(4)~~ Pharmacy technician training programs at institutions accredited on or before April 1, 2018 ~~2017~~, by the New England Association of Schools and Colleges, Commission on Technical and Career Institutions;

~~(j)(4)~~ Pharmacy technician training programs at institutions accredited on or before April 1, 2018 ~~2017~~, by the Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges;

~~(k)(4)~~ Pharmacy technician training programs at institutions accredited on or before April 1, 2018 ~~2017~~, by the Northwest Commission on Colleges and Universities;

~~(l)(4)~~ Pharmacy technician training programs at institutions accredited on or before April 1, 2018 ~~2017~~, by the Distance Education Accrediting Commission;

~~(m)(4)~~ Pharmacy technician training programs at institutions accredited on or before April 1, 2018 ~~2017~~, by the Accrediting Council for Independent Colleges and Schools;

~~(n)(4)~~ Pharmacy technician training programs at institutions accredited on or before April 1, 2018 ~~2017~~, by the Accrediting Commission of Career Schools and Colleges.

(2) The standard for approval of pharmacy technician training programs provided by a branch of the federal armed services shall be whether the curriculum of such course was developed on or before April 1, 2018 ~~2017~~.

(3) through (4) No change.

Rulemaking Authority 465.005, 465.014(4), (7) FS. Law Implemented 465.014(2), (4) FS. History—New 6-23-10, Amended 11-17-11, 6-19-17;_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 4, 2018

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NOS.: RULE TITLES:
1T-1.036 Arts and Cultural Grants
1T-1.040 Fast Track Grants

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. 44 No. 28, February 9, 2018 issue of the Florida Administrative Register. The guidelines for General Program Support and Specific Cultural Project Applications will be revised to incorporate by reference a scoring rubric, which is available for review at: <http://dos.myflorida.com/media/699207/18-19-rubric-gps-scp.pdf> The Guidelines for Fast Track Grants will be revised to incorporate by reference a scoring rubric, which is available for review at: <http://dos.myflorida.com/media/699276/2018-2019-fast-track-rubric.pdf> Both scoring rubrics are to be used by panelists when reviewing grant applications.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:
58A-5.024 Records

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. 44 No. 44, March 5, 2018 issue of the Florida Administrative Register.

58A-5.024 Records.

The facility must maintain required records in a manner that makes such records readily available at the licensee’s physical address for review by a legally authorized entity. If records are maintained in an electronic format, facility staff must be readily available to access the data and produce the requested information. For purposes of this section, “readily available” means the ability to immediately produce documents, records, or other such data, either in electronic or paper format, upon request and the term “resident” includes day care participants and respite care residents.

(1) through (4) No change.

Section IV
Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER18-20 Power Cruise™ Promotion

SUMMARY: This emergency rule describes the Power Cruise™ Promotion in which players who purchase a POWERBALL® ticket or POWERBALL® with Power Play ticket of any price point can earn entries into a drawing for a chance to win a Cruise Package.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER18-20 Power Cruise™ Promotion.

(1) Beginning April 15, 2018 through May 30, 2018, the Florida Lottery will conduct the Power Cruise™ Promotion (“Promotion”). Players who purchase a POWERBALL® or POWERBALL® with Power Play® ticket of any price point can scan the barcode on their tickets using a smartphone or tablet, or can manually enter the ticket number through the Florida Lottery’s website to collect symbols and earn entries into a drawing for a chance to win a Cruise Package for two persons. Both winning and non-winning POWERBALL tickets may be used to enter the Promotion. Only POWERBALL tickets purchased during the Promotion period may be used to enter the Promotion including POWERBALL tickets associated with a Jackpot Combo play.

(2) How to Participate.

(a) Power Cruise Collect ‘N Win App Download and Registration. A player may participate in the Promotion by downloading the free Power Cruise Collect ‘N Win app at the App Store or at Google Play®. After the app is downloaded and opened, the “Welcome” page will be displayed. Click on the navigation bar found in the top left corner, select the “Login” button. Choose “Florida” from the “Select Lottery” dropdown window. A player may either register by selecting the “Register” button or may login by entering the player’s login information and selecting the “Login” button.

(b) Players must register their contact information one time upon first usage. A player will be sent an email directing the

player to confirm his or her registration. The player should check the junk mail or spam folder if he or she does not promptly receive an email confirmation. Thereafter, the player may directly login by first selecting “Florida” from the drop-down menu of participating lotteries and entering his or her email address and password.

(c) Web Browser. A player may participate in the Promotion via web browser by visiting the Florida Lottery’s homepage, flalottery.com, clicking on the Power Cruise Promotion banner and following the directions, or by going directly to flalottery.com/powercruise and clicking on the Register/Login link at the top right corner of the page to reach the Login page to register and/or login as described above.

(d) Regardless of whether a player chooses to participate in the Promotion by smartphone, tablet or web browser the following provisions shall apply:

1. the player may use the same account login information to enter tickets;
2. the player will only be required to register one time; and
3. the player’s entry history will be cumulative among the entry platforms.

(3) How to Earn Entries.

To collect play symbols and earn entries into a drawing, a player may scan the barcode on the bottom of a POWERBALL ticket using a camera on a smartphone or tablet, or a player may manually enter the 19-digit ticket number (located near the bottom of the ticket) on the entry page at flalottery.com/powercruise. Three game cards will appear on the screen. Each game card contains six spots to collect five symbols. One spot on each card is a “free” spot. Each ticket number entered will randomly generate a quantity (2, 4, 6, 8, or 10) of the five play symbols and place them in an available game card. Once a symbol has been collected on all three play cards, the symbol will be eliminated from the random selection process. When a single game card is filled up with all five different symbols and free space, an entry is generated into the next available drawing and the game card is reset to capture more symbols towards the next entry. Partially completed cards will carry over to the next entry period. A player may earn multiple entries during the promotion period; however, a player may only manually enter or scan up to two hundred tickets per day. Each ticket number can only be scanned or entered one time. Entries that include training tickets that were produced by a retailer terminal while in training mode or tickets with invalid ticket numbers will be disqualified from the applicable drawing or drawings. The odds of winning depend on the number of entries in each drawing. All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met. POWERBALL tickets should not be mailed to the Lottery. Tickets received in the mail by the Florida

Lottery will not be entered into a drawing and will not be returned.

(4) Drawings and Number of Prizes. The Florida Lottery will conduct a total of five drawings. Prizewinners for each drawing will be randomly selected from entries submitted and received before midnight ET on the last day of the entry period for that drawing. Entries will be good for one drawing only. Prizewinners will be randomly selected using a certified random number generation process. Drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm.

The drawing dates and entry periods are as follows:

<u>Drawing</u>	<u>Drawing Date</u>	<u>Entry Period</u>
<u>1</u>	<u>May 3, 2018</u>	<u>April 15, 2018 – May 2, 2018</u>
<u>2</u>	<u>May 10, 2018</u>	<u>May 3, 2018- May 9, 2018</u>
<u>3</u>	<u>May 17, 2018</u>	<u>May 10, 2018 – May 16, 2018</u>
<u>4</u>	<u>May 24, 2018</u>	<u>May 17, 2018- May 23, 2018</u>
<u>5</u>	<u>May 31, 2018</u>	<u>May 24, 2018- May 30, 2018</u>

(a) In each of the drawings, the Florida Lottery will draw a total of seventy-five entries. The first valid entry drawn will win a Balcony Stateroom Cruise Package prize. The second through thirteenth valid entries drawn will each win an Oceanview Stateroom Cruise Package prize. The fourteenth through twenty-fifth valid entries drawn will each win an Interior Stateroom Cruise Package prize. The remaining valid entries drawn will be used as alternates in the order in which they were drawn and in the order of need to select a prizewinner in the event a prize cannot be awarded. A total of twenty-five prizes will be available in each drawing.

(b) The following table summarizes, by type of stateroom Cruise Package, the number of prizes in each drawing:

<u>Drawin g</u>	<u>Number of Balcony Staterooms</u>	<u>Number of Oceanvie w Staterooms</u>	<u>Number of Interior Staterooms</u>	<u>Total Numbe r of Cruise Packag es</u>
<u>1</u>	<u>1</u>	<u>12</u>	<u>12</u>	<u>25</u>
<u>2</u>	<u>1</u>	<u>12</u>	<u>12</u>	<u>25</u>
<u>3</u>	<u>1</u>	<u>12</u>	<u>12</u>	<u>25</u>
<u>4</u>	<u>1</u>	<u>12</u>	<u>12</u>	<u>25</u>
<u>5</u>	<u>1</u>	<u>12</u>	<u>12</u>	<u>25</u>
<u>Total</u>	<u>5</u>	<u>60</u>	<u>60</u>	<u>125</u>

(5) Prizewinner Notification.

(a) The prizewinners in each drawing will be posted on flalottery.com after the drawing.

(b) The Florida Lottery will attempt to notify each prizewinner by telephone or email using the contact information provided in the prizewinner's registration data no later than one business day after the prizewinners are posted on the Florida Lottery's website. The Florida Lottery deems the prizewinner's registration data as the prizewinner's official contact information, including the physical mailing address. The Florida Lottery will not attempt to further locate a prizewinner if attempts to reach the prizewinner by telephone or email are unsuccessful. If the Florida Lottery is unable to have contact by telephone or email with a prizewinner within one week of the date the prizewinners are posted on the website, the prizewinner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate prizewinner in accordance with paragraph (4)(a) above. If the Florida Lottery is unable to have contact by email or telephone with the alternate prizewinner within one week of the date of notification, the alternate prizewinner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the next alternate prizewinner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of alternates due to unsuccessful notification attempts or due to failure by a winner or an alternate prizewinner to timely provide required claim documentation as set forth in subsection (6) below. Notwithstanding the foregoing notification attempt provisions, the Florida Lottery will not continue notification attempts past August 1, 2018, due to booking time constraints. If the Florida Lottery exhausts the list of alternate prizewinners or if the Lottery is unable to contact an alternate by August 1, 2018, the prize will not be awarded.

(6) How to Claim a Prize. To claim a prize in a Power Cruise drawing, the prizewinner must submit to the Florida Lottery a completed Winner Claim Form DOL-173-2, Revised 9/13, or Spanish Winner Claim Form DOL-173-2S, Revised 9/13, and a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. A prizewinner must also submit a completed Release and Authorization form DOL-474-PC, Effective 4/18, or Spanish Florida Lottery Release and Authorization Form DOL-474S-PC, Effective 4/18. Forms DOL-173-2, DOL-173-2S, DOL-474-PC and DOL-474S-PC are hereby incorporated by reference. Forms DOL-173-2 and DOL 173-2S can be obtained from any Florida Lottery office or retailer, from the Florida Lottery's website, flalottery.com, from flalottery.com/powercruise or by writing to: Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee,

Florida 32399-4016. Forms DOL-474-PC and DOL-474S-PC can be obtained from any Florida Lottery office, from flalottery.com/powercruise or by writing to: Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The required documents must be received by the Florida Lottery no later than two weeks after the Florida Lottery has first made contact by telephone or email with the prizewinner. If the Florida Lottery has not received the required documents from a prizewinner by the fourteenth day after notification, the prizewinner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate prizewinner as described in subsections (4) and (5), above. The same timeframe for a winner to return required documentation to the Florida Lottery shall apply to an alternate prizewinner. A prizewinner in this Promotion is not required to submit the POWERBALL tickets he or she scanned or manually entered to generate an entry to claim a prize.

(7) Award of Prizes.

(a) Upon receipt of a prizewinner's required documentation, the Florida Lottery will award a prize of a 5-night Caribbean Cruise Package for two persons ("Cruise Package"). The Florida Lottery will provide the prizewinner a certificate describing the prize and containing the name and contact information for the prizewinner to contact to make reservations and obtain all necessary information for the cruise. A Cruise Package consists of the following:

1. 5-night Caribbean cruise for two persons in a balcony, oceanview, or interior view stateroom (depending on the prize awarded) aboard the Royal Caribbean® Majesty of the Seas® departing from Fort Lauderdale, Florida, January 19, 2019, cruising to two port of call destinations: CocoCay® and Nassau, Bahamas, and returning to Fort Lauderdale on January 24, 2019;

2. Deluxe hotel accommodations for two persons at a hotel in Fort Lauderdale, Florida the night prior to cruise departure;

3. \$800 cash for travel expenses to Fort Lauderdale, Florida;

4. \$250 ship credit to be applied to the prizewinner's ship account and utilized for items such as beverage service, shore excursions, specialty dining and purchases made during the cruise and/or similar expenditures;

5. All primary gratuities on board the ship (room attendant and dining room staff) and all trip related destination and departure taxes;

6. A chance to win an onboard prize of \$100, \$250, \$500 in the On-Board Prizes Drawing and a chance to win an onboard prize of \$5,000 or \$50,000 in the On-Board Prizes Grand Prizes Drawing;

7. Admittance to special event concert held in conjunction with the cruise; and

8. Payment of federal income tax withholding on the total retail value of the Cruise Package elements described in subparagraphs 1. through 7., above.

The Florida Lottery will pay applicable federal income tax withholding on the retail value of the prize. The reportable taxable value of the prize includes the value of the prize plus the value of the federal income tax withholding paid by the Lottery. The retail value of the prize and the reportable taxable value of the prize for a U.S. citizen are as follows:

<u>Cruise Package Prize Level</u>	<u>Retail Value of Cruise Package</u>	<u>Reportable Taxable Value of Cruise Package</u>
Balcony Stateroom	\$4,780	\$6,289.47
Oceanview Stateroom	\$4,380	\$5,763.16
Interior Stateroom	\$4,230	\$5,565.79

(b) A Cruise Package does not include: insurance, additional travel expenses (e.g. parking fees and baggage fees) alcoholic beverages (other than those served without charge at any reception and/or party or those purchased with the ship's credit), expenditures for shore excursions, ATM fees, supplemental gratuities, premium dining experiences; and any items not expressly specified and personal expenses such as telephone calls, valet service, room service, laundry, incidentals and the like. A personal credit card will be required upon ship check-in for payment of any additional onboard spending above the \$250 ship credit. Ship credit is non-refundable and must be used during the cruise.

(c) At the request of a prizewinner and with the approval of the Florida Lottery, the prizewinner may appoint a proxy to take the cruise. Only one proxy appointment per prizewinner can be made. A proxy cannot appoint another proxy. A Proxy Appointment and Acknowledgement form DOL-491-B, Revised 4/18, should be completed by the appropriate parties prior to travel arrangements being made. Form DOL-491-B is hereby incorporated by reference and can be obtained from any Florida Lottery office, or by writing to: Florida Lottery, Customer Service Division, 250 Marriott Drive, Tallahassee, Florida 32399-4016. If such request is made prior to the booking deadline (August 31, 2018), no additional cost will be assessed to the prizewinner. If such request is made after the booking deadline and a charge is imposed for changing arrangements, the prizewinner will be responsible for paying all additional charges imposed. Proxy paperwork must be submitted to the Florida Lottery by October 31, 2018. In the event a proxy is appointed, the original prizewinner shall receive the \$800 cash prize, and the entire value of the prize shall remain taxable income to the original prizewinner.

(d) If a prizewinner claims the prize with the Florida Lottery but fails to book the cruise and make hotel reservations with the fulfillment company, Alchemy 3, LLC ("Alchemy") by August 31, 2018, the Cruise Package shall be forfeited except for the \$800 cash. The cash will be mailed to the prizewinner immediately after the booking timeframe has passed and the entire value of the Cruise Package prize will remain taxable income to the prizewinner.

(e) If a prizewinner does not elect to take a guest or if his or her guest does not take the cruise, the entire value of the Cruise Package prize will remain taxable income to the prizewinner.

(f) A prizewinner must be at least 18 years of age and is solely responsible for the actions of the guest who accompanies the prizewinner on the cruise.

(g) The prizewinner or prizewinner's guest must have a valid credit card or will be required to post a cash deposit for incidentals to check into the hotel. If the prizewinner fails to check into the hotel the night before cruise departure, the prizewinner will forfeit the hotel portion of the Cruise Package, and the entire value of the Cruise Package prize will remain taxable income to the prizewinner.

(h) If the prizewinner fails to show at the designated time of departure, the cruise portion of the Cruise Package will be forfeited except for the \$800 cash, and the entire value of the Cruise Package prize will remain taxable income to the winner. No alternate sail date or credit towards another Royal Caribbean Cruise will be provided.

(i) A valid form of identification will be required for both the prizewinner and prizewinner's guest in order to book the cruise and board the ship. Valid forms of identification include: (1) a current passport or (2) both a valid state photo ID and an original birth certificate.

(8) State-Owed Debt. Prizewinners will be analyzed for state-owed debt. If a prizewinner is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be offset in accordance with section 24.115, Florida Statutes. If the debt is an amount of less than the cash portion of the prize, the non-cash portion of the prize and the balance of the cash portion of the prize after deduction of the debt shall be awarded. If the debt is an amount greater than the cash portion of the prize, the entire cash portion of the prize will be applied to the outstanding debt and the prizewinner will receive the remaining non-cash portion of the prize.

(9) Payment of Cash Portion of Cruise Package Prize. If the prizewinner does not have outstanding state-owed debt as described in subsection (8), above, Alchemy will mail the prizewinner the \$800 cash in the form of a check within fifteen days of booking the cruise and making the hotel reservations. If the prizewinner is identified as owing state-owed debt, the

Florida Lottery will offset the debt as set forth in subsection (8) above, and the Florida Lottery will promptly mail the remainder of the cash, if any.

(10) Power Cruise Onboard Prizes.

(a) All prizewinners, including prizewinners from other Lotteries participating in their states' Power Cruise Promotion, will have a chance to win an onboard prize in each of two drawings. The number of prizes and prize amounts for each drawing are as follows:

<u>On-Board Prizes Drawing</u>	
<u>Prize</u>	<u>Number of Prizes</u>
<u>\$100</u>	<u>300</u>
<u>\$250</u>	<u>100</u>
<u>\$500</u>	<u>140</u>

<u>On-Board Prizes Grand Prizes Drawing</u>	
<u>Prize</u>	<u>Number of Prizes</u>
<u>\$5,000</u>	<u>5</u>
<u>\$50,000</u>	<u>2</u>

Drawings will be conducted by Alchemy in early January 2019, prior to the cruise, using a certified random number generation process. A prizewinner will be included in both drawings, but can only win one prize per Cruise Package won, per drawing. Alternate entries will not be drawn. Drawings will be witnessed by an independent auditor employed by an independent certified public accounting firm. Prizewinners will be announced onboard the ship. The odds of winning depend on the total number of valid eligible entries (which includes entries from other participating Lotteries) in each drawing.

(b) \$100, \$250 and \$500 prizes will be distributed onboard the ship in the form of a no-fee prepaid gift card. A prizewinner will be required to present a government issued photo ID or passport to claim his or her prize.

(c) If a \$5,000 or \$50,000 prizewinner is a Florida Cruise Package winner, the prizewinner will be analyzed a second time for state-owed debt prior to award of prize.

1. If the prizewinner is liable for state-owed debt, the debt will be offset in accordance with section 24.115, Florida Statutes. For a \$5,000 prizewinner, if the debt is an amount less than the amount of the prize, the balance of the prize after the debt is offset shall be awarded. If the debt is an amount greater than \$5,000, the entire prize amount will be applied to the outstanding debt. For a \$50,000 prizewinner, if the debt is an amount less than \$50,000, the balance of the prize after applicable federal income tax is withheld and after the debt is

offset shall be awarded. If the debt is an amount greater than \$50,000, the entire prize amount after applicable tax withholding will be applied to the outstanding debt. Any payment due to a \$5,000 or \$50,000 prizewinner after the debt is offset will be in the form of a check mailed to the prizewinner by the Florida Lottery. Applicable tax forms will be issued to the prizewinner by the Florida Lottery.

2. If the prizewinner does not have outstanding state-owed debt, a \$5,000 or \$50,000 prizewinner will be paid by Alchemy in the form of a check and mailed to the prizewinner within fifteen days of the end of the cruise. A \$50,000 prize will be less applicable federal income tax withholding. Alchemy will also issue the applicable tax forms to a \$5,000 or \$50,000 prizewinner.

(d) Regardless of whether the prizewinner forfeits the cruise portion of the prize or appoints a proxy, the prizewinner will be awarded any prize won in a drawing conducted by Alchemy.

(11) Taxes. Except as specifically mentioned herein, all federal, state and/or local taxes or other fees on Cruise Package prizes will be the responsibility of the prizewinner.

(12) Other Restrictions and Provisions.

(a) The right to claim a prize cannot be assigned to another person or entity.

(b) No cash option is available in lieu of a Cruise Package.

(c) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes. Copies of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(d) Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to enter the Power Cruise Promotion.

(e) By entering the Power Cruise Promotion, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1), FS. History – New- 4-12- 18.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: April 12, 2018.

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on April 09, 2018, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: Tallywood Condominium Assoc., Inc.

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: Lawn and landscape irrigation

The Petition has been assigned tracking No. 18-4275

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (J2017068-1).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on April 09, 2018, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: Donald App

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought: Lawn and landscape irrigation

The Petition has been assigned tracking No. 18-4276

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (J2017069-1).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 12, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an

Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Maoz, Inc. located in Sunrise. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the three compartment sink and the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.007 Continuing Education During Initial Licensure Period

NOTICE IS HEREBY GIVEN that on April 09, 2018, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Adam Klotzek, D.C. Petitioner is seeking a variance or waiver of subsection 64B2-13.007(1), F.A.C., which requires licensees attend one (1) full day at a board meeting at which disciplinary hearings are conducted within twelve (12) months of initial licensure. Petitioner is requesting an extension of that time to allow him to attend the scheduled board meeting on August 24th, 2018. Comments on this petition should be filed with the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, telephone: (850)488-0595 or by electronic mail – Anthony.Spivey@flhealth.gov, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dr. Anthony Spivey, Executive Director, Board of Chiropractic Medicine, at the above address.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

NOTICE IS HEREBY GIVEN that on April 12, 2018, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-48.004(3)(g), F.A.C. and paragraph 67-21.003(8)(g), F.A.C. and RFA 2014-111 Requirement for a Change in Development Type from Caribbean Village, LTD, requesting to change the Development Type listed in the application from “Mid-Rise, 5-6 stories” to “High Rise”, and

treat the Development as a “High Rise” development for all purposes, including but not limited to, determining the applicable Total Development Cost Per Unit Limitation.

A copy of the petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 25, 2018, 10:00 a.m.

PLACE: Florida Agricultural Museum, 7900 Old Kings Road North, Palm Coast, FL 32137

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Board of Trustees to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick at (386)446-7630 or email at kara.hoblick@floridaagmuseum.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kara Hoblick at (386)446-7630 or email at kara.hoblick@floridaagmuseum.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

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

DATE AND TIME: Tuesday, May 15, 2018, 6:00 p.m.

PLACE: Silver Springs State Park - Paradise Ballroom, 5656 East Silver Springs Blvd., Silver Springs, FL 34488

GENERAL SUBJECT MATTER TO BE CONSIDERED: A draft Oklawaha River Aquatic Preserve Management Plan has been prepared by the Florida Coastal Office. The draft plan is available for viewing or download at <http://publicfiles.dep.state.fl.us/CAMA/plans/aquatic/Oklawah-a-River-AP-Management-Plan.pdf>. The Florida Coastal Office seeks public comment on the draft. Members of the Oklawaha River Aquatic Preserve Management Plan Advisory Committee have also been invited to attend and listen to comments.

A copy of the agenda may be obtained by contacting: Aquatic Preserve Manager, Jeff Sowards at Jeff.Sowards@dep.state.fl.us or (352)465-8565.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jeff Sowards at (352)465-8565. 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).

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

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

DATE AND TIME: Wednesday, May 16, 2018, 9:00 a.m.

PLACE: Silver Springs State Park, 5656 East Silver Springs Blvd., Silver Springs, FL 34488

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Oklawaha River Aquatic Preserve Management Plan Advisory Committee will meet to discuss possible revisions to the draft Oklawaha River Aquatic Preserve Management Plan and comments received at the public meeting scheduled for May 15, 2018 and separately noticed. The draft plan is available for download at <http://publicfiles.dep.state.fl.us/CAMA/plans/aquatic/Oklawah-a-River-AP-Management-Plan.pdf>.

A copy of the agenda may be obtained by contacting: Aquatic Preserve Manager, Jeff Sowards at Jeff.Sowards@dep.state.fl.us or (352)465-8565.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jeff Sowards at (352)465-8565. 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).

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a public hearing to which all persons are invited.

DAY, DATE AND TIME: Tuesday, May 8, 2018, immediately following the Agenda Conference that is scheduled to begin at 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 20180029-WS, In Re: Proposed amendment of Rule 25-30.433, F.A.C., Rate Case Proceedings. This is a rule hearing requested by the Office of Public Counsel pursuant to §120.54(3)(c), F.S., on proposed paragraphs (1)(d) and (2)(c) of proposed Rule 25-30.433, F.A.C. The rule hearing will be conducted by the Commissioners of the Florida Public Service Commission. The purpose of the hearing is to give affected persons an opportunity to present evidence and argument on all issues under consideration.

The contact person for this rule hearing is: Kathryn G.W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, kcowdery@psc.state.fl.us or at (850)413-6216.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or (850)413-6770 (Florida Relay Service, 1(800)955-8770 Voice or 1(800)955-8771 TDD). Assistive Listening Devices are available upon request from the Office of Commission Clerk, Gerald L. Gunter Building, Room 152.

If a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to all known interested persons. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Children and Youth Cabinet Technology Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: April 20, 2018, 3:00 p.m. – 5:00 p.m.

PLACE: Department of Children and Families, 1317 Winewood Boulevard, Building 1, Room 132, Tallahassee, FL 32399; conference call number: 1(888)670-3525; participant code: 450-816-1561

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular business of the Workgroup.

A copy of the agenda may be obtained by contacting: Lindsey Zander, Executive Director, Florida Children and Youth Cabinet, (850)488-9410 or Lindsey.zander@myflfamilies.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lindsey Zander, Executive Director, Florida Children and Youth Cabinet, (850)488-9410 or Lindsey.zander@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Lindsey Zander, Executive Director, Florida Children and Youth Cabinet, (850)488-9410 or Lindsey.zander@myflfamilies.com.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District Big Cypress Basin Board Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: April 26, 2018, 9:00 a.m.

PLACE: Collier County Board County Commissioners Chambers 3299 Tamiami Trail East, 3rd Floor, Naples, FL 34112

GENERAL SUBJECT MATTER TO BE CONSIDERED: Big Cypress Basin Board Meeting.

A copy of the agenda may be obtained by contacting: Charity Saieva, (239)263-7615, Ext. 7602.

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: Charity Saieva, (239)263-7615, Ext. 7602. 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: Charity Saieva, (239)263-7615, Ext. 7602.

DEPARTMENT OF ELDER AFFAIRS

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2018, 9:00 a.m. – 4:00 p.m. (Eastern)

PLACE: Pinellas County Emergency Management Building, 10750 Ulmerton Road, Building 1, Largo, FL 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Regional Disaster Preparedness Forum is to collaborate with our local partners on the varying roles of the State, Department, Area Agencies on Aging, and local Emergency Management Offices.

A copy of the agenda may be obtained by contacting: Anne Chansler at chanslera@elderaffairs.org or by phone at (850)414-2000.

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 1 days before the workshop/meeting by contacting: Page Merkison at merkisonj@elderaffairs.org or (850)414-2000. 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).

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

The Agency for Health Care Administration announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 24, 2018, 8:30 a.m. – 11:30 a.m.

PLACE: Telephone conference number: 1(888)670-3525, participant code: 8050334011

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governor’s Panel on Excellence in Long-Term Care will be meeting to review applications received for consideration for the Gold Seal Award. Other business as needed may also be discussed.

A copy of the agenda may be obtained by contacting: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, FL 32308, email: LTCStaff@ahca.myflorida.com.

For more information, you may contact: Jacquie Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 33, Tallahassee, FL 32308, email: LTCStaff@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2018, 8:30 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact Rebecca Sammons at least 10 days prior to the meeting. The public portion of this meeting may be available by conference call. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation Board Operations Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 4, 2018, 10:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation and other general business of the Committee. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Application Committee and/or Educational Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 8, 2018, 8:30 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Review applications for licensure and other general business of the committees. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Application Committee and/or Educational Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 8, 2018, 10:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North

Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Review applications for licensure and other general business of the committees. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: rsammons@fbpe.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 18, 2018, 10:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:

To act on the recommendations from the Application & Educational Advisory Committee to approve or deny applications for licensure and any old or new business of the Board. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114 at least 10 days prior to the date of the meeting. The call in number is 1(888)392-4560 (you will need to contact Ms. Sammons for the participant code).

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons. 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: rsammons@fbpe.org.

DEPARTMENT OF HEALTH

Division of Health Access and Tobacco

The Division of Community Health Promotion, Bureau of Tobacco Free Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 20, 2018, 1:00 p.m., Eastern time

PLACE: Call 1(888)670-3525, enter participant code: 5720848571 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of Policy Subcommittee of the Tobacco Advisory Council, an Advisory Council required by section 381.84 Florida Statutes. The council provides advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. The council will be discussing the Constitutional Revision Commission proposal regarding electronic smoking devices.

A copy of the agenda may be obtained by contacting: Ron Davis at (850)203-6241, Ronald.Davis@flhealth.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 72 hours before the workshop/meeting by contacting: Ron Davis at (850)203-6241, Ronald.Davis@flhealth.gov. 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: Ron Davis at (850)203-6241, Ronald.Davis@flhealth.gov.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

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

DATE AND TIME: April 27, 2018, 5:00 p.m. – 8:30 p.m.

PLACE: Lake Rousseau RV Park, 10811 N. Coveview Terrace, Crystal River, FL 34428

GENERAL SUBJECT MATTER TO BE CONSIDERED: FWC will be holding a meeting to update the public on the current state of Lake Rousseau following Hurricane Irma and

fisheries monitoring on the lake. The Southwest Florida Water Management District will also provide information on Lake Rousseau water levels and structure operations. The meeting will take place April 27th from 5:00 p.m. – 8:30 p.m. at the Lake Rousseau RV Park, 10811 N. Coveview Terrace, Crystal River, FL 34428. This meeting facility is handicap accessible. For more information, contact Allen Martin at (386)623-1836.

A copy of the agenda may be obtained by contacting: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.com.

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

For more information, you may contact: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.com.

TREASURE COAST EDUCATION AND RESEARCH DEVELOPMENT AUTHORITY

The Treasure Coast Education Research & Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: April 27, 2018, 9:00 a.m.

PLACE: River Walk Center, 600 N. Indian River Drive, Fort Pierce, FL 34950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any matters that may come before the TCERDA Board for their consideration/authorization, including but not limited to minutes, treasurer's report, etc.

A copy of the agenda may be obtained by contacting: The Treasure Coast Research Park office at (772)467-3017.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Treasure Coast Research Park office at (772)467-3017. 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: The Treasure Coast Research Park office at (772)467-3017.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOC., INC.

The FWCIGA Board announces a public meeting to which all persons are invited.

DATE AND TIME: April 24, 2018, 10:00 a.m.

PLACE: Hyatt Regency Orlando Airport Hotel, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to discuss the general business of the Association. The agenda will include but not limited to: Receiver's, Legal and Legislative reports. Audit and Investment Committee reports and Claims and Operations reports.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

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: Cathy Irvin, (850)386-9200. 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).

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has issued an order disposing of the petition for declaratory statement filed by MB Doral, LLC, d/b/a Martinibar; DS 2018-001 on April 05, 2018. The following is a summary of the agency's disposition of the petition:

Petitioner, MB Doral, LLC's petition for declaratory statement was granted in part and denied in part. Prospective Intervenor Beer Industry of Florida, the Florida Beer Wholesalers Association, and Wine and Spirits Distributors of Florida, Inc.'s motion to intervene was granted.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office,

2601 Blair Stone Road, Tallahassee, FL 32399-2202; (850)717-1183; AGC.Filing@MyFloridaLicense.com.

Please refer all comments to: Daniel McGinn, Deputy Chief Attorney, Department of Business and Professional Regulation, Office of the General Counsel, Division of Alcoholic Beverages and Tobacco, 2601 Blair Stone Road, Tallahassee, FL 32399-2202; (850)717-1588; Daniel.McGinn@MyFloridaLicense.com. (DS #2018-001; DBPR Case Ref # 2018-001066)

**DEPARTMENT OF FINANCIAL SERVICES
Finance**

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Tiger Commissary Services, Inc. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

The original petition sought a declaratory statement from the Office on whether the company is required to be licensed as a money service business following its change in business process. On April 12, 2018, the Petition was withdrawn.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643, Agency.Clerk@flofr.com.

Section VIII

Notice 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 has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX

Notice 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

AJAX BUILDING CORPORATION
 FSU STUDENT UNION BUILDING
 FSU STUDENT UNION BUILDING-NOTICE TO
 BIDDERS

NOTICE TO BIDDERS

Date: 4/05/2018

Sealed bids for furnishing all labor and material and performing all work necessary and incidental to the completion of

Bid Group	Bid Package Number - Description	Pre-Bid Conference Date - Time	Bid Date - Time
A	2.1 - Abatement	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	2.2 - Demolition	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	9.1 - Temporary Drywall and Framing	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	8.1 - Temporary Doors Frames and Hardware	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	7.1 - Temporary Roofing	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	6.1 - Temporary Wood Loading Dock	4/19/18 - 3:00PM	5/1/18 - 2:00PM

A	3.1 - Temporary Concrete	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	4.1 - Temporary Masonry	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	21.1 - Temporary Fire Protection	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	22.1 - Temporary Plumbing	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	23.1 - Site and Temporary HVAC	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	26.1 - Site & Temporary Electrical	4/19/18 - 3:00PM	5/1/18 - 2:00PM
A	31.1 - Sitework Utilities	4/19/18 - 3:00PM	5/1/18 - 2:00PM
B	2.3 - Auger Cast Piles	TBD	TBD
B	2.4 - Retaining Walls	TBD	TBD
B	3.2 - Concrete Foundations	TBD	TBD
B	31.2 - Sitework Earthwork	TBD	TBD
C	3.3 - Cast-in Place Concrete	TBD	TBD
C	4.2 - Masonry	TBD	TBD
C	5.1 - Structural and Miscellaneous Steel	TBD	TBD
C	5.2 - Specialty Handrails	TBD	TBD
C	7.2 - Roofing	TBD	TBD
C	8.2 - Exterior Doors Frames & hardware	TBD	TBD
C	8.3 - Glass, Glazing, Storefronts & Curtainwalls	TBD	TBD
C	9.6 - Paint, Coatings & Sealants	TBD	TBD

C	10.1 – Decorative Metal Canopy	TBD	TBD
C	11.1 – Loading Dock Equipment	TBD	TBD
C	32.1 – Fencing	TBD	TBD
C	32.2 – Landscaping	TBD	TBD
D	6.2 – Casework and Millwork	TBD	TBD
D	8.4 – Interior Doors, Frames & Hardware	TBD	TBD
D	8.5 – Overhead Doors	TBD	TBD
D	8.6 – Interior Storefronts	TBD	TBD
D	9.2 – Metal Framing & Drywall	TBD	TBD
D	9.3 – Hard Tile	TBD	TBD
D	9.4 – Terrazzo	TBD	TBD
D	9.5 – Acoustical Treatments	TBD	TBD
D	9.7 – Wood Flooring	TBD	TBD
D	9.8 – Polished and Epoxy Concrete Floors	TBD	TBD
D	9.9 – Carpet and Resilient Base	TBD	TBD
D	9.10 – Interior Paint	TBD	TBD
D	10.2 – Miscellaneous Specialties	TBD	TBD
D	10.3 – Exterior Signage	TBD	TBD
D	10.4 – Operable Partitions	TBD	TBD
D	11.2 – Foodservice Equipment	TBD	TBD
D	11.3 – Athletic Equipment	TBD	TBD
D	14.1 – Elevators	TBD	TBD
D	21.2 – Fire Protection	TBD	TBD

D	22.2 – Plumbing	TBD	TBD
D	23.2 – HVAC	TBD	TBD
D	26.2 – Electrical, Fire Alarm & Data	TBD	TBD

Bids for the FSU Student Union Building (FS-263) will be received by Ajax Building Corporation, 1080 Commerce Boulevard, Midway, FL 32343 until 2:00 pm Local Time, on the above referenced dates.

Each bid must be accompanied by a Bid Bond on the form enclosed in this package, certified check or cashier’s check in an amount no less than five percent (5%) of the total amount of the base bid as guarantee that the bidder will, if awarded the contract, enter into a written contract, satisfactory in form, containing a penalty clause and requiring workers’ compensation and public liability insurance and approval of subcontractor by Ajax Building Corporation and shall be prepared to provide Payment and Performance Bonds on the forms enclosed in this bid package to Ajax Building Corporation in the full amount of the contract price within seven (7) days after acceptance. Bidder must be a licensed Florida Contractor.

The Contract Documents, as defined in Subcontract Agreement form, may be examined at the office of Ajax Building Corporation, 1080 Commerce Boulevard, Midway, FL 32343. In addition, prequalified bidders may obtain a set of Contract Documents by downloading from Ajax Building Corporation’s project-specific FTP site. Access information will be made available through validation of the prequalification process.

The Bid Documents are anticipated to be available to prequalified bidders on the following dates:

Bid Group A - 4/13/18

Bid Group B – TBD

Bid Group C – TBD

Bid Group D – TBD

Interested bidders may obtain pre-qualification forms by contacting Ajax Building Corporation’s office. Only bidders meeting pre-qualification criteria may bid. Bidders must submit a completed experience questionnaire and financial statement on the form entitled “Bidder Qualifications Questionnaire”, incorporated herein by reference. The subcontractor’s financial condition must demonstrate that adequate fixed and liquid assets and equipment are available to properly perform the Subcontract.

No bids may be withdrawn after the scheduled closing time for receipt of same for a period of one hundred thirty (130) days.

Proposals shall be sealed and plainly marked, "Bid", with name of project, bid package number and description, name and address of bidder, time and date due.

The Construction Manager reserves the right to reject any and all bids received and to waive any and all informalities or irregularities in regard thereto.

Pre-Bid Conferences will be held at the above listed dates, times, and locations (TBD). Dates are subject to change.

Notice will be given to Prequalified bidders.

For additional information, contact Michael Jenkins, Project Manager, at (850)224-9571 or mjenkins@ajaxbuilding.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

FWCJUA Notice of a Competitive Solicitation for State Legislative Lobbying Services

FLORIDA WORKERS COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC. (FWCJUA)

Notice of a Competitive Solicitation for State Legislative Lobbying Services

The FWCJUA, a single-line insurer of workers compensation and employers liability coverage in Florida, will issue a competitive solicitation for State Legislative Lobbying Services on April 20, 2018. The FWCJUA is not a state agency; and thus, the competitive solicitation process is not governed by the contracting procedures applicable to state agencies set forth by Florida law. Interested parties may obtain a copy of the FWCJUA's competitive solicitation for State Legislative Lobbying Services on April 20, 2018 at www.fwcjua.com.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, April 6, 2018 and 3:00 p.m., Thursday, April 12, 2018.

Rule No.	File Date	Effective Date
1B-2.011	4/10/2018	4/30/2018
6A-1.0014	4/10/2018	4/30/2018

6A-1.0503	4/10/2018	4/30/2018
6A-1.09441	4/10/2018	4/30/2018
6A-1.09515	4/10/2018	4/30/2018
6A-5.030	4/10/2018	4/30/2018
6A-5.0411	4/10/2018	4/30/2018
6A-5.066	4/10/2018	4/30/2018
6A-6.0571	4/10/2018	4/30/2018
6A-6.0574	4/10/2018	4/30/2018
6A-7.0335	4/10/2018	4/30/2018
40B-4.1090	4/6/2018	4/26/2018
40B-400.091	4/6/2018	4/26/2018
53ER18-20	4/12/2018	4/12/2018
62-620.100	4/6/2018	4/6/2018
64B8-8.001	4/10/2018	4/30/2018
64B8-9.018	4/10/2018	4/30/2018
64B15-14.013	4/10/2018	4/30/2018
64B15-19.002	4/10/2018	4/30/2018
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

EXEMPTION

The Agency for Health Care Administration approved the following exemption on February 9, 2018 pursuant to Section 408.036(3), Florida Statutes:

ID # E180004 District: 6 (Polk County)
 Facility/Project: Lakeland Regional Medical Center
 Applicant: Lakeland Regional Medical Center, Inc.

Project Description: Establish a 15-bed Level III Neonatal Intensive Care Unit
Proposed Project Cost: \$1,451,208

Federal Reserve Bank of Atlanta, Atlanta, GA
Comptroller of the Currency, Atlanta, GA
Florida Bankers Association, Tallahassee, Florida
John D. Deese

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary
Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)717-9076. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

Financial Institutions

NOTICE OF FILINGS

Financial Services Commission

Office of Financial Regulation

April 13, 2018

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	or	by Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		The Fletcher Building, Suite 118
Tallahassee, Florida 32314-8050		101 East Gaines Street
Phone: (850)410-9889		Tallahassee, Florida 32399-0379
Fax: (850)410-9663		Phone: (850)410-9889

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., May 4, 2018).

APPLICATION TO MERGE

Constituent Institutions: Guardians Credit Union, West Palm Beach, Florida and South Florida Federal Credit Union, Miami, Resulting Institution: Guardians Credit Union, West Palm Beach, Florida

With Title: Guardians Credit Union

Received: April 11, 2018

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA

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.