

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Peoples Gas System, filed March 8, 2006, in Docket No.: 060199-GU, seeking a waiver from paragraph 25-7.045(8)(a), Florida Administrative Code. The rule requires companies to file a depreciation study at five year intervals.

Comments on the petition should be filed with: The Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the petition can be obtained from the Division of the Commission Clerk and Administrative Services. For additional information, please contact Katherine Fleming, Office of the General Counsel, at the above address or telephone (850)413-6218.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on February 9, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(5), Florida Administrative Code from Quality Inn Little Bite located in Orlando. The above referenced Florida Administrative Code address food equipment, utensils, and linens as specifically provided in this rule, public food service establishments shall be subject to the provisions of Chapter four of the FDA Food Code. They are requesting to operate without a three-compartment sink or other methods of warewashing.

This variance request was approved March 6, 2006 and is contingent upon the Petitioner ensuring sufficient number of 3-compartment sinks or mechanical warewashing machines for washing, rinsing, and sanitizing equipment and utensils for Lite Bite and the main kitchen. The Petitioner may use the mop sink located in the main kitchen as long as it is equipped with a floor drain for the disposal of mop water and similar liquid waste and it is sufficient to keep both the facility's floors clean from food and dust debris. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, F.S.

NOTICE IS HEREBY GIVEN that on February 10, 2006, the Bureau of Elevator Safety received two Petitions for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioners are requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: Palazzo Condominium Tower, Panama City Beach (Petition VW 2006-036) and Grand Panama Beach Resort, Panama City Beach (Petition VW 2006-035).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on February 13, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1, and 2.7.6 and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of

KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Hampton Inn, Pinellas Park (Petition VW 2006-043).

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

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on February 13, 2006, the Bureau of Elevator Safety received four Petitions for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Jim Childers of Otis Elevator Company. The Petitioners are requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: Meridian at One North Ocean Group 1, Meridian at One North Ocean Group 2, Meridian at One North Ocean Group 3 and Meridian at One North Ocean Group 4, Boca Raton (Petitions VW 2006-037 through 2006-040).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on February 14, 2006, the Bureau of Elevator Safety received two Petitions for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioners are requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: Capri Condominium, Perdido Key (Petition VW 2006-045) and Marina Landing Condominium, Panama City Beach (Petition VW 2006-044).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on February 16, 2006, the Bureau of Elevator Safety received a Petition for Emergency Variance from Rule 2000.7a, ASME A18.1, 2000 edition, as

adopted by Chapter 3001.2, 2004 Florida Building Code, limiting travel to 12 feet. The petition was received from Jeanne Martin of Accessibility Lifts, Inc. on behalf of Eagles Landing II (Petition VW 2006-048).

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

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on February 16, 2006, the Bureau of Elevator Safety received two Petitions for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioners are requesting a variance to allow the installation of Gen2™ elevator systems in the following locations: Splash Condominium, Panama City Beach (Petition VW 2006-049) and Palms Resort and Conference Center, Destin (Petition VW 2006-050).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on February 17, 2006, Bureau of Elevator Safety received four Petitions for Variance from ASME A.17.1, Sections 2.1.3.1, and 2.7.6 and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petitions were received from Steve Powell of KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following locations: Madison Avenue Complex, Tampa (Petition VW 2006-051), City of Deland, 120 S. Florida Ave., Deland (Petition VW 2006-052), Bella Vista, Daytona Beach Shores (Petition VW 2006-053), and Bay Club I, Palmetto (Petition VW 2006-054). A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on February 20, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Lost Key – Gelia, Pensacola (Petition VW 2006-055). A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on February 22, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Robert Gerdt of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Palms at Riviera Dunes, Palmetto (Petition VW 2006-056).

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

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on March 3, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Sailmaker's Place Condominium, Pensacola (Petition VW 2006-060).

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

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on March 6, 2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1, and 2.7.6 and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004, Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: Boca Lago at Vivante, Punta Gorda (Petition VW 2006-061).

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

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on March 7, 2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from Patricia Serley of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Presidio Condominium, Ft. Walton Beach (Petition VW 2006-062).

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

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on March 10, 2006, Bureau of Elevator Safety received two Petitions for Variance from ASME A.17.1, Sections 2.1.3.1, and 2.7.6 and, ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code, which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petitions were received from Steve Powell of KONE Inc, requesting a variance to allow the installation of MonoSpace® elevator systems in the following locations: The

Boulevard, Jacksonville Beach (Petition VW 2006-064) and Dolcevita at Singer Island, Palm Beach Shores (Petition VW 2006-063).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Bureau of Elevator Safety 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.

NOTICE IS HEREBY GIVEN that on December 30, 2005, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4(5), Florida Administrative Code, from Treasure Island located in Pompano Beach. The above referenced Florida Administrative Code address food equipment, utensils, and linens as specifically provided in this rule, public food service establishments shall be subject to the provisions of Chapter Four of the FDA Food Code. They requested to operate without a three-compartment sink or other methods of warewashing. This variance request was denied March 13, 2006, because the request is inconsistent with the principles of public safety and sanitation articulated in Section 509.032(e)(1), F.S., for public food service establishments enforced by this Division.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The Board of Dentistry hereby gives notice that it has received a petition, filed on March 8, 2006, by Edwin A. Bayo, Esq. for Juan Alberto, D.D.S. seeking a waiver or variance of subsection 64B5-2.0146(2), F.A.C., concerning the remediation education requirements for licensure as a Dentist.

Comments on this petition should be filed with: Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

For a copy of the petition, contact: Sue Foster, Executive Director, Board of Dentistry, at above address or telephone.

The Board of Optometry hereby gives notice that it has received a Petition for Variance or Waiver filed on February 20, 2006 on behalf of Kurt Moody, O.D. Petitioner seeks a variance of Rule 64B13-4.001, F.A.C. Specifically, the Petitioner, a Pennsylvania State Optometry practitioner

recently relocated to Florida, who is also a Consultant Item Writer and an examiner for the National Board of Examiners in Optometry ("NBEO"), requests that the Board waive the requirement applicable to his licensure for the portion under Rule 64B13-4.001, F.A.C. that pertains to taking the National Board of Examiners in Optometry ("NBEO") examination. This request is made in view of the Petitioner's background in the Optometry profession, detailed in the Petition, and of his association with the National Board of Examiners in Optometry as a Consultant Item Writer and examiner.

Copies of the petition may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN that on February 28, 2006, the Department of Health, filed an Order disposing of a petition for two variances from the requirements of subparagraph 64E-13.004(6)(a)1., F.A.C., as filed by Innovation Schools of Excellence, Inc. The petitions were filed with the Department on January 11, 2006, and noticed in the Florida Administrative Weekly on January 17, 2006, in Vol. 32, No. 4.

The Department determined that Petitioner was able to demonstrate that the standards of the underlying statute will be able to be temporarily achieved at both the current temporary school locations. The Department further finds that a current application of the requirements, as set forth by the aforementioned Rule, would impose a substantial hardship on the school because of their present circumstances regarding both its temporary locations. Therefore, both the petitions for temporary variances are GRANTED until July 31, 2009.

A copy of the Orders may be obtained from: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, (850)245-4005.

NOTICE IS HEREBY GIVEN that on March 8, 2006 the Department of Health received a Petition for Variance from paragraph 64E-15.002(2)(b), Florida Administrative Code, from Ivan D. King, Petitioner, on behalf of Swiss Golf & Tennis Club, CHC VII, Ltd. That rule requires minimum lot size for a double wide mobile home of 3500 square feet with no less than 50 feet of width. Swiss Golf & Tennis Club is a 613 space Mobile Home Park located in Polk County.

Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice.

A copy of the Petition may be obtained from: David B. Wolfe, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710, or by calling (850)245-4277.