

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: **RULE TITLE:**
 33-601.820 Maximum Management
PURPOSE AND EFFECT: The purpose and effect of the amendment is to remove reference to the use of handcuff covers for inmates in maximum management.
SUBJECT AREA TO BE ADDRESSED: Maximum management.
RULEMAKING AUTHORITY: 944.09 FS.
LAW IMPLEMENTED: 944.09 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Adam Stallard, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 33-601.820 Maximum Management.
- (1) through (8) No change.
- (9) Security Requirements.
 - (a) No change.
 - (b) Additionally, the following security precautions shall be followed for maximum management inmates:
 - 1. No change.
 - 2. A maximum management inmate shall exit the cell only in handcuffs behind the back ~~with handcuff cover~~ and in the presence of a minimum of two officers.
 - 3. through 7. No change.
 - (10) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History—New 12-7-00, Amended 11-23-03, 4-1-04, 4-13-06, 10-30-06, 4-27-08, 5-18-09, 3-6-14, 7-14-14,_____.

WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District

RULE NO.: **RULE TITLE:**
 40D-3.041 Permits Required
PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to adopt a new general permit authorizing the construction, repair, modification or abandonment of

monitoring wells that are part of site assessment activities approved pursuant to paragraphs 62-780.600(5)(h)-(i), F.A.C., a remedial action plan approved pursuant to subsection 62-780.700(3), F.A.C., or as part of a pilot study approved pursuant to subsection 62-780.700(2), F.A.C. The general permit would only apply to wells with a borehole not exceeding 150 feet in depth and having a casing diameter of 4 inches or less. This rulemaking has been requested by the Department of Environmental Protection’s Division of Waste Management to reduce costs associated with its cleanup programs.

SUBJECT AREA TO BE ADDRESSED: Water Well Regulation.
RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, 373.309, 373.337 FS.
LAW IMPLEMENTED: 373.106, 373.306, 373.308, 373.309, 373.313, 373.316 FS.

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

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. 4702; 1(800)423-1476 (FL only), ext. 4702 or email: 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: Martha A. Moore, SWFWMD, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660); email: martha.moore@swfwmd.state.fl.us (OGC #2014032)

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NOS.: **RULE TITLES:**
 59C-1.004 Projects Subject to Review
 59C-1.005 Certificate of Need Exemption Procedure
 59C-1.008 Certificate of Need Application Procedures
 59C-1.036 Nursing Facility Beds
PURPOSE AND EFFECT: The Agency is proposing to amend Rules 59C-1.004, 1.005 and 1.036, F.A.C., due to statutory

changes. The Agency is also proposing to update Rule 59C-1.008, F.A.C., to add additional years to the batching calendar. SUBJECT AREA TO BE ADDRESSED: The proposed amendments to Rules 59C-1.004, 1.005 and 1.036, F.A.C., include statutory changes to amend the occupancy rate from 94 to 92 percent, adding projects subject to expedited review as well as amending projects subject to exemption. The proposed amendments to Rule 59C-1.008, F.A.C., are updating the batching calendars to include years beyond 2014.

RULEMAKING AUTHORITY: 408.034(5), 408.15(8) FS.
LAW IMPLEMENTED: 400.071, 408.033, 408.034, 408.035, 408.036, 408.0361, 408.037, 408.038, 408.039, 408.042 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Marisol Fitch, 2727 Mahan Drive, Mail Stop 28, Building 1, Tallahassee, Florida, Email: Marisol.fitch@ahca.myflorida.com or call (850)412-4346

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.013 Florida Dental Examinations

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for candidates for the dental examination regarding the assessing of patients for suitability as exam patients.

SUBJECT AREA TO BE ADDRESSED: Dental Examination.
RULEMAKING AUTHORITY: 456.017(1)(b), 466.004(4), 466.006(5)(a) FS.

LAW IMPLEMENTED: 456.017(1)(b), (2), 466.006(4), 466.006(5)(a), 466.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the licensure requirements for applicants from non-accredited schools or colleges.

SUBJECT AREA TO BE ADDRESSED: Licensure Requirements for Applicants from Non-Accredited Schools or Colleges.

RULEMAKING AUTHORITY: 466.004(4), 466.006(3) FS.

LAW IMPLEMENTED: 466.006 FS.

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DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:

69V-180.002 Adoption of Forms

PURPOSE AND EFFECT: This rule is proposed as a new rule to re-adopt certain current forms (Form OFR-COM-101, Exhibit A to Form OFR-COM-101, and Form OFR-CCA-101) and to adopt certain new forms (Form OFR-559-101, and Form OFR-559-102). When adopted, these forms will facilitate the application to the Office for registration by commercial collection agencies and consumer collection agencies, as well as the filing of complaints by consumers under the Florida Consumer Collection Practices Act, Chapter 560, Part VI, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Consumer Collection Practices.

RULEMAKING AUTHORITY: 559.545, 559.554, 559.555 FS.

LAW IMPLEMENTED: 559.542, 599.544, 559.545, 559.553, 559.555 FS.

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

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-180.010 Commercial Collection Surety Bond and Procedures

PURPOSE AND EFFECT: The Office proposes to amend current Rule 69V-180.010, F.A.C. The purpose and effect of the changes are to amend an obsolete rulemaking authority reference in the current rule, to update a form date reference, to remove an obsolete form title reference, and to correct the name of the Office and the reference to the Office’s zip code in the current rule.

SUBJECT AREA TO BE ADDRESSED: Commercial Collection Surety Bond and Procedures.

RULEMAKING AUTHORITY: 559.545 FS.

LAW IMPLEMENTED: 559.542, 559.544, 559.545, 559.546 FS.

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

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-180.020 Commercial Collection Registration Form and Procedures

PURPOSE AND EFFECT: The Office proposes to amend current Rule 69V-180.020, F.A.C. The purpose and effect of the changes are to amend an obsolete rulemaking authority reference in the current rule, to update a form date reference, to correct the reference to the Office’s zip code in the current rule, to include a cross-reference to amended subsection 69V-180.010(1), F.A.C., and to delete a requirement in the current rule that the registration fee be paid in certified funds.

SUBJECT AREA TO BE ADDRESSED: Commercial Collection Registration Form and Procedures.

RULEMAKING AUTHORITY: 559.545 FS.

LAW IMPLEMENTED: 559.542, 559.544, 559.545 FS.

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

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-180.030 Consumer Collection Registration Form and Procedures

PURPOSE AND EFFECT: The Office proposes to amend current Rule 69V-180.030, F.A.C. The purpose and effect of the changes are to amend an obsolete rulemaking authority reference in the current rule, to update a form number and date reference, to correct the reference to the Office’s zip code, to delete a requirement that the registration fee be paid in certified funds, and to add a provision regarding the fingerprints of applicants to conform to statutory changes.

SUBJECT AREA TO BE ADDRESSED: Consumer Collection Registration Form and Procedures.

RULEMAKING AUTHORITY: 559.554, 559.555, 559.5551 FS.

LAW IMPLEMENTED: 559.551, 559.553, 559.555 FS.

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

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
 69V-180.031 Consumer Collection Agency Electronic Filing of Forms and Fees

PURPOSE AND EFFECT: This rule is proposed as a new rule. The purpose and effect of the proposed new rule is to specify that the required electronic filing of the registration form adopted under subparagraph 69V-180.002(1)(b)1., F.A.C., and payment of fees under rule 69V-180.30 are to be submitted through the REAL System.

SUBJECT AREA TO BE ADDRESSED: Consumer Collection Agency Electronic Filing of Forms and Fees.

RULEMAKING AUTHORITY: 559.554, 559.555 FS.

LAW IMPLEMENTED: 559.553, 559.554(2)(a), 559.555 FS.

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

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
 69V-180.032 Effect of Law Enforcement Records on Applications for Consumer Collection Agency Registration

PURPOSE AND EFFECT: This rule is proposed as a new rule to implement statutory requirements under Sections 559.554 and 559.730, Florida Statutes. The purpose and effect of the proposed new rule is to specify the procedures to be followed and the documents to be provided to the Office by an applicant for Consumer Collection Agency Registration in disclosing any pending criminal charges and all criminal matters in which a control person of the applicant has pled guilty or nolo

contendere, or was convicted or found guilty. The proposed new rule also specifies the classification of crimes by the Office, the specification of time periods for which an applicant is disqualified from registration with the Office based upon the classification of crimes, the effect of multiple crimes on the disqualifying period, and the aggravating and mitigating factors to be considered by the Office in determining the period of disqualification from registration.

SUBJECT AREA TO BE ADDRESSED: Effect of Law Enforcement Records on Applications for Consumer Collection Agency Registration.

RULEMAKING AUTHORITY: 559.554 FS.

LAW IMPLEMENTED: 559.72, 559.725 FS.

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

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
 69V-180.040 Consumer Collection Agency Complaint Form and Procedures

PURPOSE AND EFFECT: The Office proposes to amend current Rule 69V-180.040, F.A.C. The purpose and effect of the changes are to amend an obsolete rulemaking authority reference in the current rule, and to update a form title, form number, and date reference in the current rule.

SUBJECT AREA TO BE ADDRESSED: Consumer Collection Agency Complaint Form and Procedures.

RULEMAKING AUTHORITY: 559.554 FS.

LAW IMPLEMENTED: 559.72, 559.725 FS.

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

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Meredith Stanfield, (850)410-9544,
Meredith.Stanfield@flofr.com
THE PRELIMINARY TEXT OF THE PROPOSED RULE
DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-180.070 Location of Records

PURPOSE AND EFFECT: This rule is proposed as a new rule. The purpose and effect of the proposed new rule is to specify the renewal requirements for registrations that expire on December 31, 2014, specifically, the non-refundable renewal fee to be submitted by a registrant, the procedures to be followed by registrants in submitting fingerprints for each control person prior to the registration renewal, to establish a deadline for registrants to respond to the Office with additional information, and to provide that a registration will automatically expire if the registrant does not respond to the Office by the deadline. The proposed new rule also specifies the renewal requirements for registrations expiring on December 31, 2015, and thereafter, specifically, the non-refundable renewal fee to be submitted by a registrant, and the non-refundable fee to be submitted by a registrant to cover the costs in retaining the fingerprints of each control person. The proposed new rule states that failure to remit the fees required by the expiration date for registrations expiring on December 31, 2015, and thereafter will automatically result in expiration of the registration.

SUBJECT AREA TO BE ADDRESSED: Consumer Collection Agency Registration Renewal.

RULEMAKING AUTHORITY: 559.554, 559.555 FS.

LAW IMPLEMENTED: 559.555 FS.

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

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NO.: RULE TITLE:
69V-180.100 Guidelines for Imposing Administrative Penalties

PURPOSE AND EFFECT: The Office proposes to amend current Rule 69V-180.100, F.A.C. The purpose and effect of the changes are to change the title of the rule; to amend an obsolete rulemaking authority reference; to update a statutory reference in the rule; to both adopt and incorporate by reference into the rule, the "Office of Financial Regulation, Division of Consumer Finance, Disciplinary Guidelines for Consumer Collection Agencies" document; to specify how a copy of the "Office of Financial Regulation, Division of Consumer Finance, Disciplinary Guidelines for Consumer Collection Agencies" document may be obtained from the Office; to amend language in the current rule regarding references to guidelines, violations, and citations numbers; to delete requirements from the current rule; and to clarify the use of the term "citation" in the proposed rule. The proposed rule also clarifies what actions the Office may take against a registrant based upon the "Office of Financial Regulation, Division of Consumer Finance, Disciplinary Guidelines for Consumer Collection Agencies," and specifies the mitigating and aggravating factors the Office shall consider in determining the appropriate penalty. The proposed rule further clarifies the current ranges for administrative fines to be imposed by the Office as a penalty, and specifies the ranges for suspensions to be imposed by the Office as a penalty.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 559.554, 559.730(7) FS.

LAW IMPLEMENTED: 559.5556, 559.565(1), 559.72, 559.725(6), 559.727, 559.730 FS.

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

Section II Proposed Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-25.001	Definitions
59A-25.002	Licensure Requirements
59A-25.005	Compliance

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to update statutory references, forms, fees, websites; to make grammatical changes and corrections; to update provisions based on statutory changes; and to amend and delete language currently in Chapter 408, F.S. and Chapter 59A-35, F.A.C. for conformity.

SUMMARY: The purpose of the proposed rule amendments is to update statutory references, forms, fees, websites; to make grammatical changes and corrections; to update provisions based on statutory changes; and to delete language currently in Chapter 408, F.S. and Chapter 59A-35, F.A.C. for conformity. Rule 59A-25.001, F.A.C. is amended to update the definition in paragraph (2) "Central Service Center" to clarify that a central service center and its distribution centers must be wholly owned and operated by the same entity or individual; the definitions for classes of deficiencies are removed since they are defined in Section 408.813(2), F.S. Rule 59A-25.002, F.A.C. is amended as follows: wording was added to paragraph (1) to make it clear that the rule only pertains to the provision of equipment to consumers in Florida; the license fee amount is corrected in paragraph (3)(a) to show the Consumer Price Index increase implemented pursuant to Section 408.805(2), F.S.; language relating to licensing procedures and background screening that are now in Chapter 59A-35, F.A.C. and Chapter 408 Part II, F.S. is removed; paragraph (5) is amended to remove language provided in Chapter 408, F.S. and provisions for submission of a surety bond no longer provided for in statute. Rule 59A-25.005, F.A.C., is amended to revise or delete language relating to classification of violations, fines and survey requirements already found in Chapter 408, F.S. and Chapter 59A-35, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will 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 been prepared by the Agency.

A statement of estimated regulatory costs has been prepared for proposed rule revisions in Rule 59A-25.002, F.A.C., and is available from the person listed below. The following is a summary of the SERC:

For proposed rule subsection 59A-25.002(3), F.A.C., license fees are increased by the Consumer Price Index pursuant to Section 408.805(2), F.S. The biennial license fee will increase by \$4.50. Based on the number of currently licensed facilities and projected growth, the total regulatory impact for a 5 year period is \$10,980.00.

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: A SERC has been prepared by the agency for Rule 59A-25.002, F.A.C. For rules listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC.

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: 400.935 FS.

LAW IMPLEMENTED: 400.92, 400.925, 400.93, 400.931, 400.932, 400.933, 400.934, 400.935, 400.94, 400.945, 400.953, 400.957, 408.803, 408.804, 408.805, 408.806, 408.8065, 408.807, 408.809, 408.810, 408.811, 408.812, 408.813 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 6, 2015, 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration Ft. Knox Bldg. 3, Conference Room C, 2727 Mahan Drive, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Noël Cronin Lawrence via e-mail: noel.lawrence@ahca.myflorida.com or by phone: (850)412-4403. 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 IS: Noël Cronin Lawrence via e-mail: noel.lawrence@ahca.myflorida.com or by phone: (850)412-4403

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-25.001 Definitions.

In addition to definitions contained in Chapter 400, Part VII and Chapter 408, Part II, F.S., the following terms shall apply:

(1) “AHCA” means Agency for Health Care Administration.

(2) “Central Service Center” means the licensed premises that are in charge of taking consumer orders, dispatching the orders to licensed their distribution centers owned and operated by the same licensee that provide home medical equipment services, and maintaining consumer and personnel records. The central service center is responsible for the operation of its designated distribution centers.

~~(3) Class I deficiency is any act, omission, or practice that results in a consumer’s death, disability, or permanent injury, or places a consumer at imminent risk of death, disability, or permanent injury. Upon finding a class I deficiency, the agency shall impose an administrative fine in the amount of \$5,000 for each occurrence and each day that the deficiency exists. In addition, the agency shall immediately revoke the license, deny the renewal of a license or impose a moratorium on accepting new consumers until the factors causing the deficiency have been corrected.~~

~~(4) Class II deficiency is any act, omission, or practice that has a direct adverse effect on the health, safety, or security of a consumer. Upon finding a class II deficiency, the agency shall impose an administrative fine in the amount of \$1,000 for each occurrence and each day that the deficiency exists. In addition, the agency shall revoke the license, deny the renewal of a license or impose a moratorium on accepting new consumers, until the deficiency has been corrected.~~

~~(5) Class III deficiency is any act, omission, or practice that has an indirect, adverse effect on the health, safety, or security of a consumer. Upon finding an uncorrected or repeated class III deficiency, the agency shall impose an administrative fine not to exceed \$500 for each occurrence and each day that the uncorrected or repeated deficiency exists.~~

~~(6) Class IV deficiency is any act, omission, or practice related to required reports, forms, or documents which does not have the potential of negatively affecting consumers. These violations are of a type that the agency determines do not threaten the health, safety, or security of patients. Upon finding an uncorrected or repeated class IV deficiency, the agency shall impose an administrative fine not to exceed \$200 for each occurrence and each day that the uncorrected or repeated deficiency exists.~~

(3)(7) “Distribution centers” means those licensed premises that are not located at the address of the central service center but are owned and operated by the same licensee, receive orders from the central service center and are utilized to provide home medical equipment services.

(4)(8) “HME” means home medical equipment.

Rulemaking Specific Authority 400.935 FS. Law Implemented Part VII of Chapter 400, 400.92-.957, 408.804 FS. History—New 6-4-00, Amended 10-6-02, 3-13-07, Amended _____.

59A-25.002 Licensure Requirements.

(1) Home medical equipment locations requiring a license are any locations that sell, rent, or distribute, or offer to sell or rent to or for a consumer any home medical equipment that requires services. These locations can be identified as follows:

(a) Any location providing or distributing home medical equipment requiring services to consumers in Florida;

(b) Any location where an intake person takes calls from consumers in Florida and offers to sell or rent home medical equipment requiring services;

(c) Any location where a consumer in Florida may call in response to a provider advertising to sell or rent home medical equipment requiring services; e.g., television advertisements, toll-free telephone 800 numbers, phone books, newspapers, flyers or any other forms of public advertisement;:-

(d) Any location out of state that offers to sell or rent home medical equipment requiring services to consumers in Florida;

(e) Any location in state or out of state, with sales representatives working in Florida, that offers to sell or rent home medical equipment requiring services to consumers in Florida, i.e., the sales representatives themselves do not need to be licensed; and

(f) Any buildings, that are not located at the licensed central service center address, called shops, warehouses, distribution centers, or called by any other name, are required to have a license if that site location provides selection (via telephone, showroom or sales representative), delivery, set up, consumer instruction or maintenance of equipment to consumers in Florida.

~~1.(g)~~ A ~~c~~Central service centers must provide the names and locations of all of its their designated distribution centers on the licensure application.

~~2.(h)~~ A ~~d~~Distribution centers must submit a separate licensure application and must specify the name of its their central service center on the application.

~~3.(i)~~ Each licensed distribution center is required to meet all standards for licensure but may be determined to meet the standards through the activities of its designated central service center as referenced in paragraph 59A-25.005(1)(b), F.A.C.

(2) Home medical equipment locations that do not require a license: Diabetic monitors and disposable supplies, e.g., diabetic, ostomy, urological and wound care supplies have been identified as equipment and supplies that do not require services as defined in Section 400.925(9)(~~H~~), F.S.; therefore, locations that supply these items only will not require a HME license.

(3) Licensing application and fees:

~~(a) An application for initial, change of ownership and renewal licensure must be made on the Health Care Licensing Application, Home Medical Equipment Provider, AHCA Form 3110-1005, October 2014, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, and the Health Care Licensing Application Addendum prescribed in subsection 59A-35.060(1), F.A.C. These forms are available online at <http://ahca.myflorida.com/HQALicensureforms>. An application Fees for initial, change of ownership licensure application and renewal licensure must be accompanied by will be a non-refundable \$304.50 biennial 300 licensing fee and, if required, a \$400 inspection fee for a two year license per location. Businesses with a central service center having distribution centers sites are required to submit an application and a \$304.50 biennial 300 licensing fee for each location, but shall submit only one \$400 inspection fee with the application of the central service center.~~

~~(b) When a change is reported which requires the issuance of another license, a fee must be assessed by AHCA as referenced in Sections 408.805 400.931(13) and (14), F.S. The following fees have been established:~~

- ~~1. Change of ownership: a \$300 license fee and a \$400 inspection fee unless exempt from inspection;~~
- ~~2. Change of address: a \$15 license fee;~~
- ~~3. Name change: a \$15 license fee;~~
- ~~4. Duplicate license: a \$5 license fee;~~

~~(c) The fee for an application package with rules, law, forms and an instruction package is based on AHCA's actual cost of postage plus the copying fee per page as authorized in Section 119.07, F.S. The costs are rounded up to the next whole dollar. The documents and forms in the application package can be printed with no fee from the AHCA website at <http://ahca.myflorida.com> under 'Licensing and Certification', 'Home Medical Equipment Providers'.~~

~~(4) Initial licensure application: An application for initial licensure must be made on forms prescribed by AHCA. The application package contains the following forms that are incorporated by reference as part of this rule:~~

~~(a) Health Care Licensing Application, Home Medical Equipment Provider AHCA Form 3110 1005, Revised December, 2006;~~

~~(b) Affidavit of Compliance with Screening Requirements, AHCA Form 3110 1006, Revised December 2006;~~

~~(c) Home Medical Equipment Provider Bond, AHCA Form 3110 1018, Revised August 2006.~~

~~These forms may be obtained through the AHCA Licensed Home Health Programs Unit, 2727 Mahan Drive, Mail Stop 34, Tallahassee, Florida 32308 5407. In addition to the application, the following information must be submitted.~~

~~(4)(d) Initial and change of ownership applicants must submit proof of demonstrate financial ability to operate pursuant to as referenced in Sections 400.931(3) 408.8065(1) and 408.810(8), F.S., and Rule 59A-35.062, F.A.C. by submitting proof of a current \$50,000 surety bond for each location to be licensed or submission of Home Medical Equipment Provider, Proof of Financial Ability to Operate, AHCA Form 3110 1021, December 2006 with evidence of sufficient assets to cover projected expenses. If a bond is submitted, submission of a copy of a current Medicaid bond will satisfy as proof of financial ability to operate. Corporations that own multiple licensed HME locations will not be required to resubmit proof of financial ability to operate when applying for a license for an additional provider location.~~

~~(e) Background screening:~~

~~1. The general manager as defined in Section 400.925(7), F.S., and the financial officer must submit level 2 screening directly to AHCA as referenced in Section 408.809, F.S.~~

~~2. The general manager must coordinate the submission of level 1 screening for all personnel who enter a consumer's home, including contractors, hired on or after 7/1/99 Level 1 screening consists of the submission of the criminal history check either to the AHCA Background Screening Unit, 2727 Mahan Drive, Mail Stop 40, Tallahassee, FL 32308 5407 or to the Florida Department of Law Enforcement. The cost of processing screening must be paid by the provider or by the employee that is screened. New employees may work on probationary status, once they have submitted their screening documents as permitted in Chapter 435, F.S. The general manager must submit a signed affidavit with each initial and renewal application affirming that direct and contract personnel who enter the home in the capacity of their employment, have been screened for good moral character.~~

~~(5)(f) Each licensed HME provider location must obtain and maintain professional and commercial liability insurance of not less than \$250,000 per claim as referenced in Sections 400.931(3)(6) and 408.810(7), F.S. In case of contracted services, the contractor must maintain liability insurance of not less than \$250,000 per claim. A corporation can provide a blanket policy, which indicates that each of its licensed locations is insured under one policy, verifying not less than \$250,000 per claim for each location.~~

~~(6)(g) Initial aApplicants and providers requesting to change the address of record must provide proof of compliance with meet the local zoning requirements. Physical location cannot be a post office box. The licensee must have all county licenses and permits that are applicable.~~

~~(5) Renewal application:~~

~~(a) An application for renewal of licensure, with its forms and attachments, is required per Sections 400.931 and 408.806, F.S., and these rules. AHCA Form 3110 1005, December 2006,~~

incorporated by reference must be submitted and can be obtained as stated in subsection (4) above.

~~(b) If AHCA has reason to believe a provider is financially unstable, the applicant must demonstrate financial ability to operate by submitting proof of a current \$50,000 surety bond as referenced in Section 400.931(3), F.S., or by submitting AHCA Form 3110-1021, December 2006, with evidence of sufficient assets to cover projected expenses before the license is renewed. In addition, the applicant must document its correction of the financial instability, to include evidence of the payment in full of any bad checks, delinquent bills or liens, and all associated fees, costs and charges related to the instability. If payment in full cannot be or is not made, evidence must be submitted of partial payment along with a plan for payment in full with satisfaction of any liens or delinquent bills. If the lien is with a government agency or repayment is ordered by a federal, state, or district court, an accepted plan of repayment must be provided. Failure to pay any outstanding fines, unless the fine is being appealed, is an indicator of financial instability and AHCA will ask the provider to demonstrate financial ability to operate by submission of proof of a bond unless the provider pays the fine.~~

~~(6) If an HME provider has shown signs of financial instability at any time, pursuant to Sections 408.810(8) and (9), F.S., the HME provider must submit proof of financial ability to operate, including financial schedules that show anticipated provider revenue and expenses and the basis for financing the anticipated cash flow requirements of the licensee on AHCA Form 3110-1021, December 2006, and documentation of correction of the financial instability, to include evidence of payment made and proof of receipt of payment by the respective creditor, vendor or lienor of any bad checks, delinquent bills or liens, and all associated fees, costs and charges relating to the instability. Verifiable copies of satisfactions of liens, copies of cancelled checks, certified mail (courier) return receipts with copies of checks, receipts for payments, paid invoices and authorized letters of estoppel will suffice as proof of payment, if in the full and correct amounts. If payment in full cannot be or is not made, evidence must be submitted of partial payment along with a plan for payment in full of any liens or delinquent bills. If the lien is with a government agency or repayment is ordered by a federal, state, or district court, an accepted plan of repayment must be provided.~~

~~(7) If a change of ownership is to occur, an application for a change of ownership, AHCA Form 3110-1005, December 2006, incorporated by reference, must be submitted per the requirements in Section 408.807, F.S., and these rules.~~

~~(7)(8) If a change of name and/or address of record is to occur, the provider must submit Home Medical Equipment Provider, Request to Amend License for Notification of Change~~

~~of Name and/or Address, AHCA Form 3110-1020, October 2014 December—2006, <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>, incorporated by reference and available online at <http://ahca.myflorida.com/HQAlicensureforms>, according to the timeframes as required in subsection 59A-35.040(2), F.A.C. and accompanied by a fee as required in subsection 59A-35.050(4), F.A.C. not less than 24 hours prior to the actual move. The applicant must comply with local zoning requirements and obtain all applicable local county licenses and permits for the new location.~~

~~Rulemaking Specific Authority 400.935, 408.810(8) FS. Law Implemented Part VII of Chapter 400, 400.92-.957, 408.803, 408.805, 408.806, 408.8065, 408.807, 408.809, 408.810, 408.810(8), 408.815 FS. History—New 6-4-00, Amended 10-6-02, 4-13-03, 3-13-07, Amended _____.~~

59A-25.005 Compliance.

(1) The survey or inspection:

~~(a) All providers must be in compliance with and each separately licensed location, except as described in paragraph (b), shall be surveyed in accordance with Part VII of Chapter 400, F.S., Part II of Chapter 408, F.S., Chapter 59A-35, F.A.C. and these rules. A provider shall be surveyed on an unannounced basis as required in Section 408.811, F.S. Area offices may do follow up surveys to check on correction of deficiencies at any time on an unannounced basis.~~

~~(b) If a provider is operating with a central service center that has one or more distribution centers, the central service center shall be the premises where the survey will be initiated. A surveyor will inspect at least one of the distribution centers associated with the central service center. The distribution center will be held accountable for equipment and services provided but will not be responsible for maintaining patient or personnel records.~~

~~(c) All providers must have available, at the time of survey, at least one category of equipment that is provided directly, filling orders from its own inventory as referenced in Section 400.934(2), F.S. Failure to have, at the time of survey, at least one category of equipment that is provided directly will result in the provider's application being denied or the provider's license being revoked. A licensed central service center may be determined to meet this standard through the inventory available at its designated distribution center.~~

~~(d) Once the AHCA surveyor has finished conducting an inspection, an exit conference is conducted with the general manager or designee to discuss the results of the inspection and any deficiencies that may have been found.~~

~~(e) The survey findings will be written and if any deficiencies were cited during the survey, a statement of deficiencies will be sent to the provider.~~

~~(f) Except for situations as described in paragraphs (c), (e) and (h), if any deficiencies were cited during the survey, the provider will be given ten working days to submit a plan of correction to the area office. A follow up visit or a desk review will then be made by the area office to determine if the plan of correction is acceptable and has been implemented. The plan of correction is subject to approval by the agency.~~

~~(g) If a provider is cited regarding serious patient harm or a threat of clear and present danger to the public's health and safety, AHCA has the authority to request an injunction to halt operations through an emergency order or moratorium. Also, AHCA has the authority to deny, revoke or suspend a license when survey findings present a threat or clear and present danger to the public's health and safety as permitted in Section 400.932, F.S.~~

~~(h) If the provider fails to meet the minimum standards in Section 400.934, F.S., or this rule, the area office shall recommend denial, revocation or suspension of the provider's license or impose an administrative fine as authorized in Section 400.932, F.S.~~

~~(i) An acceptable plan of correction must:~~

~~1. Include specific information on how the deficiency was or will be corrected;~~

~~2. Include reasonable time frames based on the dates discussed during the exit conference;~~

~~3. Address the problem and be aimed at correction in a systematic sense, as opposed to correcting an example or an isolated problem;~~

~~4. Identify the position that will be monitoring the corrective action to preclude its reoccurrence.~~

~~(j) All licensed providers must make records available on the premises during the course of the survey.~~

~~(2) Complaint investigations:~~

~~(a) AHCA will conduct investigations of complaints regarding violations of licensure requirements. Complaint investigations will be unannounced. An entrance conference will be conducted to inform the general manager of the nature of the complaint. An exit conference will be conducted to report the findings and to receive additional information or clarification concerning the investigation. Distribution centers will be allowed forty-eight hours to obtain patient or personnel records from its ~~their~~ central service center and to submit the records to the area office when related to a complaint investigation.~~

~~(b) A statement of any deficiencies found will be sent to the provider after the investigation. If the complaint was confirmed or any incidental deficiencies were cited as a result of the complaint investigation, the provider must submit a plan of correction to the area office.~~

(3) Adverse action: Denial, Suspension, Revocation, and Administrative Fines. Fine amounts are not to exceed \$5,000 per violation, per day as stated in Section 400.932(1), F.S.

(a) AHCA shall deny, suspend or revoke an application for license, or impose a fine for the reasons in Section 400.932, F.S., Part II of Chapter 408, F.S., Chapter 59A-35, F.A.C. and for the following reasons:

~~(a)1-~~ If the provider fails to submit an application for a change of ownership within the time frames specified in Sections 408.806 and 408.807, F.S., a \$50 fine per day, not to exceed 50 percent of the licensure fee, \$150 shall be levied. If the application is received after the required filing date and, exhibits a hand-canceled postmark from a United States Post Office dated on or before the required filing date, no fine will be levied;

~~2-~~ If the provider fails to notify AHCA of a change of address within the timeframes specified in subsection 59A-25.002(8), F.A.C., a minimum of a \$500 fine shall be levied;

~~3-~~ If the applicant fails to screen all employees including contracted employees, or is unable to show screening clearance for any contracted employees who enter a consumer's home, as required in Section 400.93, F.S., or employs persons who are disqualified from employment based on a criminal record check, a \$1,000 fine shall be levied;

~~(b)4-~~ If the provider is cited for a class I violation as defined in Section 408.813(2)(a), F.S. deficiency that is any act, omission or practice that results in a consumer's death, disability, or permanent injury, or places a consumer at imminent risk of death, disability, or permanent injury, the agency shall impose an administrative fine in the amount of \$5,000 for each occurrence and each day that the deficiency exists. In addition, the agency shall immediately revoke the license, deny the renewal of a license or impose a moratorium on accepting new consumers until the factors causing the deficiency have been corrected;

~~(c)5-~~ If the provider is cited for a class II violation as defined in Section 408.813(2)(b), F.S. deficiency that is any act, omission or practice that has a direct adverse effect on the health, safety or security of a consumer, the agency shall impose an administrative fine in the amount of \$1,000 for each occurrence and each day that the deficiency exists. In addition the agency shall revoke the license, deny the renewal of a license or impose a moratorium of new consumers until the deficiency has been corrected;

~~(d)6-~~ If the provider is cited for a class III violation as defined in Section 408.813(2)(c), F.S. deficiency that is any act, omission or practice that has an indirect, adverse effect on health, safety, or security of a consumer, the agency shall impose an administrative fine not to exceed \$500 for each occurrence and each day that the uncorrected or repeated deficiency exists;

~~(e)7-~~ If the provider is cited for a class IV violation as defined in Section 408.813(2)(d), F.S. deficiency that is uncorrected or repeated acts or omissions or practices related to required reports, forms or documents which do not have the potential of negatively affecting consumers, the agency shall impose an administrative fine not to exceed \$200 for each occurrence and each day that the uncorrected or repeated deficiency exists;

~~(f)8-~~ If the provider is not available for inspection during the office hours indicated on its licensure application, AHCA shall deny an initial, renewal or change of ownership application or impose a \$500 fine upon a licensed provider applying to renew a license.

~~(g)9-~~ If the central service center’s license is revoked, the revocation includes the licenses of all distribution centers.

~~10-~~ If the provider fails to submit a plan of correction to the area office within 10 days of the receipt of the deficiency statement, AHCA shall deny an initial, a change of ownership or a renewal application or revoke the license of a licensed provider.

~~(h)11-~~ Failure of a provider to provide records to AHCA during an inspection shall result in a \$500 fine.

~~(i)12-~~ Failure of a distribution center to provide records to AHCA within forty-eight hours shall result in a \$500 fine.

~~(b) The action taken by AHCA regarding the above shall be based on the following:~~

~~1. The gravity of the violation, including the probability that death or serious physical or emotional harm to a patient will result or has resulted, and the severity of the actual or potential harm;~~

~~2. The actions taken by the HME provider to correct violations, and~~

~~3. Any previous violations.~~

~~(4) Providers must report unlicensed home medical equipment providers to the AHCA Consumer Complaint, Publication and Information Call Center toll free number of 1(888) 419 3456 or the local number of (850) 487 3183.~~

~~Rulemaking Specific Authority 400.935 FS. Law Implemented Part VII of Chapter 400, 400.92-957, 408.806, 408.807, 408.811, 408.812, 408.813 FS. History—New 6-4-00, Amended 10-6-02, 3-13-07,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Noël Cronin Lawrence
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 21, 2013

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-204.800 Federal Regulations Adopted by Reference

PURPOSE, EFFECT AND SUMMARY: The proposed rule amendments (OGC 14-0099) update the department’s adoption-by-reference of air pollution regulations promulgated by the U.S. Environmental Protection Agency (EPA) at 40 C.F.R. Parts 50, 51, 52, 61, 60, 63, 70, and 81 to incorporate requirements of the department’s federally approved and delegated air pollution programs.

RULEMAKING AUTHORITY: 403.8055 FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.8055 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: Ms. Terri Long, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400 or terri.long@dep.state.fl.us

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE ENVIRONMENTAL REGULATION COMMISSION, ADMINISTRATIVE ASSISTANT, DEP, MS 35, 3900 COMMONWEALTH BLVD., TALLAHASSEE, FL 32399-3000. 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:

62-204.800 Federal Regulations Adopted by Reference.
All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

(1) Title 40, Code of Federal Regulations, Part 50, National Primary and Secondary Ambient Air Quality Standards.

(a) No change.

(b) The following appendices of 40 C.F.R. Part 50, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. through 7. No change.

8. 40 C.F.R. Part 50, Appendix G, Reference Method for the Determination of Lead in Suspended Particulate Matter Collected from Ambient Air; amended November 12, 2008, at 73 FR 66963; amended July 3, 2013, at 78 FR 40000 ([link](#)).

9. through 20. No change.

(2) Title 40, Code of Federal Regulations, Part 51, Requirements for Preparation, Adoption, and Submittal of Implementation Plans.

(a) The following subparts of 40 C.F.R. Part 51, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 51, Subpart F, Procedural Requirements; amended January 18, 2007, at 72 FR 2193, amended July 16, 2007, at 72 FR 38787; amended March 24, 2008, at 73 FR 15603; amended January 21, 2009, at 74 FR 3437; amended June 23, 2009, at 74 FR 29595; amended June 22, 2012, at 77 FR 37610 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 12, 2013, at 78 FR 9823 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03490>); amended August 28, 2013, at 78 FR 53029 ([link](#)); amended October 22, 2013, at 78 FR 62451 ([link](#)); amended March 27, 2014, at 79 FR 17037 ([link](#)).

2. through 5. No change.

(b) The following appendices of 40 C.F.R. Part 51, revised as of July 1, 2006, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 51, Appendix M, Recommended Test Methods for State Implementation Plans; amended September 21, 2006, at 71 FR 55119; amended May 29, 2008, at 73 FR 30775; amended December 21, 2010, at 75 FR 80118 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00746>); amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 ([link](#)).

2. through 4. No change.

(3) Title 40, Code of Federal Regulations, Part 52, Approval and Promulgation of Implementation Plans. The following subparts of 40 C.F.R. Part 52, revised as of July 1, 2003, or later as specifically indicated, are adopted and incorporated by reference:

(a) 40 C.F.R. Part 52, Subpart A, General Provisions; revised as of July 1, 2011, (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03499>), or later as specifically indicated, except for the provisions of 40 C.F.R. §52.21(b)(49)(v), are adopted and incorporated by reference; amended July 12, 2012, at 77 FR 41051 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03489>); amended

October 25, 2012, at 77 FR 65107 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03486>); amended January 15, 2013, at 78 FR 3085 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03487>); amended May 19, 2014, at 79 FR 28607 ([link](#)).

(b) 40 C.F.R. Part 52, Subpart K, Florida, amended July 22, 2003, at 68 FR 43312; amended August 11, 2003, at 68 FR 47468; amended February 13, 2004, at 69 FR 7127; amended March 29, 2004, at 69 FR 16167; amended June 17, 2004, at 69 FR 33860; amended April 28, 2006, at 71 FR 25327; amended November 28, 2006, at 71 FR 68743; amended October 12, 2007, at 72 FR 58016; amended September 16, 2008, at 73 FR 53378; amended June 1, 2009, at 74 FR 26103; amended May 27, 2010, at 75 FR 29671 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 12, 2011, at 76 FR 20239 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended June 15, 2012, at 77 FR 35862 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended July 30, 2012, at 77 FR 44485 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 19, 2012, at 77 FR 58027 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended October 11, 2012, at 77 FR 61724 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 8, 2012, at 77 FR 66927 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 27, 2012, at 77 FR 70687 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended November 29, 2012, at 77 FR 71111 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended April 3, 2013, at 78 FR 19998 ([link](#)); amended June 20, 2013, at 78 FR 37132 ([link](#)); amended August 29, 2013, at 78 FR 53250 ([link](#)); amended November 1, 2013, at 78 FR 65559 ([link](#)); amended November 18, 2013, at 78 FR 68997 ([link](#)); amended December 2, 2013, at 78 FR 72033 ([link](#)); amended January 6, 2014, at 79 FR 573 ([link](#)); amended May 19, 2014, at 79 FR 28607 ([link](#)); amended May 27, 2014, at 79 FR 30045 ([link](#)); amended August 25, 2014, at 79 FR 50554 ([link](#)); amended October 16, 2014, at 79 FR 62006 ([link](#)).

(4) through (7) No change.

(8) Title 40, Code of Federal Regulations, Part 60, Standards of Performance for New Stationary Sources.

(a) No change.

(b) Standards Adopted. The following Standards of Performance for New Stationary Sources contained in 40 C.F.R. Part 60, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 60, Subpart Da, Electric Utility Steam Generators for Which Construction is Commenced After September 18, 1978; amended January 20, 2011, at 76 FR 3517

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 19, 2012, at 77 FR 23399 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 16, 2012, at 77 FR 9303 (link); amended April 19, 2012, 77 FR 23399 (link); amended April 24, 2013, 78 FR 24073 (link); amended November 19, 2014, at 79 FR 68777 (link); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.47Da.

3. 40 C.F.R. Part 60, Subpart Db, Industrial-Commercial-Institutional Steam Generating Units; amended January 20, 2011, at 76 FR 3517 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 16, 2012, at 77 FR 9303 (link); amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of authorities cited at 40 C.F.R. § 60.40b(g).

4. 40 C.F.R. Part 60, Subpart Dc, Small Industrial-Commercial-Institutional Steam Generating Unit; amended January 20, 2011, at 76 FR 3517 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 16, 2012, at 77 FR 9303 (link); except that the Secretary is not the Administrator for purposes of authorities cited at 40 C.F.R. § 60.40c(b).

5. through 7. No change.

8. 40 C.F.R. Part 60, Subpart Ec, Hospital/Medical/Infectious Waste Incinerators for Which Construction is Commenced After June 20, 1996; amended October 6, 2009, at 74 FR 51368; amended April 4, 2011, at 76 FR 18407 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended May 13, 2013, at 78 FR 28051 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03493>); amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.56c(j). At 40 C.F.R. § 60.50c(m), the “applicable compliance date of the requirements of subpart Ce” shall be the later of June 1, 2012, or such date as established pursuant to the provisions of sub-subparagraph 62-204.800(9)(g)9.d., F.A.C.

9. through 11. No change.

12. 40 C.F.R. Part 60, Subpart H, Sulfuric Acid Plants; amended February 27, 2014, 79 FR 11227 (link).

13. through 14. No change.

15. 40 C.F.R. Part 60, Subpart Ja, Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007; amended February 25, 2011, at 76 FR 10524 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended December 19, 2013, at 78 FR 76753 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 60.109a(b).

16. through 22. No change.

23. 40 C.F.R. Part 60, Subpart O, Sewage Treatment Plants; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 60.156(b).

24. through 36. No change.

37. 40 C.F.R. Part 60, Subpart BB, Kraft Pulp Mills; amended February 27, 2014, 79 FR 11227 (link).

38. through 40. No change.

41. 40 C.F.R. Part 60, Subpart GG, Stationary Gas Turbines; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.332(a)(4).

42. No change.

43. 40 C.F.R. Part 60, Subpart KK, Lead-Acid Battery Manufacturing Plants; amended February 27, 2014, 79 FR 11227 (link).

44. 40 C.F.R. Part 60, Subpart LL, Metallic Mineral Processing Plants; amended February 27, 2014, 79 FR 11227 (link).

45. through 51. No change.

52. 40 C.F.R. Part 60, Subpart UU, Asphalt Processing and Asphalt Roofing Manufacture; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for the purposes of 40 C.F.R. § 60.474(g).

53. through 66. No change.

67. 40 C.F.R. Part 60, Subpart NNN, Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for the purposes of 40 C.F.R. § 60.663(e).

68. through 79. No change.

80. 40 C.F.R. Part 60, Subpart IIII, Standards of Performance for Stationary Compression Ignition Internal Combustion Engines; amended June 28, 2011, at 76 FR 37954 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4201, 60.4202, 60.4203, 60.4210 and 60.4215 and 60.4216.

81. 40 C.F.R. Part 60, Subpart JJJJ, Standards of Performance for Stationary Spark Ignition Internal Combustion Engines; amended June 28, 2011, at 76 FR 37954 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of 40 C.F.R. §

60.4231, 60.4232, 60.4238, 60.4239, 60.4240, 60.4241, 60.4242, and 60.4247.

82. through 84. No change.

(c) No change.

(d) General Provisions Adopted. The general provisions of 40 C.F.R. Part 60, Subpart A, revised as of July 1, 2009; amended October 6, 2009, at 74 FR 51368; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>), amended March 21, 2011, at 76 FR 15554 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)); amended January 18, 2012, at 77 FR 2456 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 19, 2012, at 77 FR 23396 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 16, 2012, at 77 FR 49489 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 12, 2012, at 77 FR 56421 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-03483)); are adopted and incorporated by reference except that the Secretary is not the Administrator for purposes of 40 C.F.R. § 60.4, 40 C.F.R. § 60.8(b)(2) and (3), 40 C.F.R. § 60.11(e)(7) and (8), 40 C.F.R. § 60.13(g), (i) and (j)(2), and 40 C.F.R. § 60.16.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 60, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 60, Appendix A-1, Test Methods 1 through 2F; amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

2. 40 C.F.R. Part 60, Appendix A-2, Test Methods 2G through 3C; amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

3. No change.

4. 40 C.F.R. Part 60, Appendix A-4, Test Methods 6 through 10B; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

5. 40 C.F.R. Part 60, Appendix A-5, Test Methods 11 through 15A; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

6. 40 C.F.R. Part 60, Appendix A-6, Test Methods 16 through 18; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended July 30, 2012, at FR 44488 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-02487)).

7. 40 C.F.R. Part 60, Appendix A-7, Test Methods 19 through 25E; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>), amended January 18, 2012, at 77 FR 2456 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>);

amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)); except that in Method 23, the toluene rinse concentrate may be added to the acetone and methylene chloride concentrate, the filter, and the resin in the Soxhlet apparatus specified at section 5.1.4 of the method prior to analysis, in lieu of separate analysis of the toluene rinse extract pursuant to section 5.1.6 of the method.

8. 40 C.F.R. Part 60, Appendix A-8, Test Methods 26 through 30B; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

9. through 11. No change.

12. 40 C.F.R. Part 60, Appendix F, Quality Assurance Procedures; amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

(9) No change.

(10) Title 40, Code of Federal Regulations, Part 61, National Emission Standards for Hazardous Air Pollutants.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R. Part 61, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 61, Subpart C, Beryllium; amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

2. 40 C.F.R. Part 61, Subpart D, Beryllium Rocket Motor Firing; amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

3. 40 C.F.R. Part 61, Subpart E, Mercury; amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

4. through 8. No change.

9. 40 C.F.R. Part 61, Subpart N, Inorganic Arsenic Emission From Glass Manufacturing Plants; amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-01720)).

10. through 15. No change.

(c) No change.

(d) General Provisions Adopted. The general provisions of 40 C.F.R. Part 61, Subpart A, revised as of July 1, 2001, amended May 16, 2007, at 72 FR 27437; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 19, 2012, at 77 FR 23396 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 16, 2012, at 77 FR 9303 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-02487)); amended February 27, 2014, 79 FR 11227 ([link](http://www.flrules.org/Gateway/reference.asp?No=Ref-02487)); are adopted and incorporated by reference; except for 40 C.F.R. § 61.08 and except that the Secretary is not the Administrator for the purposes of 40 C.F.R. § 61.04, 40 C.F.R. § 61.11, and 40 C.F.R. § 61.18. In lieu of the process set forth in 40 C.F.R. § 61.08, the Department will follow the permit processing procedures of Rule 62-4.055, F.A.C.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 61, revised as of July 1, 2001, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 61, Appendix B, Test Methods, except Method 111 for Polonium 210, Method 114 for Radionuclides and Method 115 for Radon-222; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (link).

3. No change.

(11) Title 40, Code of Federal Regulations, Part 63, National Emission Standards for Hazardous Air Pollutants for Source Categories.

(a) No change.

(b) Standards Adopted. The following National Emission Standards for Hazardous Air Pollutants contained in 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. No change.

2. 40 C.F.R. Part 63, Subpart G, Organic Hazardous Air Pollutants From the Synthetic Organic Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.153(c)(1) through (4).

3. through 7. No change.

8. 40 C.F.R. Part 63, Subpart N, Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks; amended September 19, 2012, at 77 FR 58219 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.348(c)(1) through (4).

9. 40 C.F.R. Part 63, Subpart O, Ethylene Oxide Emissions Standards for Sterilization Facilities; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.368(c)(1) through (4).

10. through 15. No change.

16. 40 C.F.R. Part 63, Subpart X, Secondary Lead Smelters; amended January 5, 2012, at 77 FR 556 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 3, 2014, at 79 FR 367 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.551(c)(1) through (4).

17. 40 C.F.R. Part 63, Subpart Y, Marine Tank Vessel Loading Operations; amended April 21, 2011, at 76 FR 22566 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.568(c)(1) through (4).

18. through 22. No change.

23. 40 C.F.R. Part 63, Subpart GG, Aerospace Manufacturing and Rework Facilities; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.759(c)(1) through (4).

24. through 43. No change.

44. 40 C.F.R. Part 63, Subpart GGG, Pharmaceuticals Production; amended April 21, 2011, at 76 FR 22566 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. 63.1261(c)(1) through (4).

45. through 46. No change.

47. 40 C.F.R. Part 63, Subpart JJJ, Group IV Polymers and Resins; amended March 27, 2014, at 79 FR 17339 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1336(c)(1) through (4).

48. No change.

49. 40 C.F.R. Part 63, Subpart MMM, Pesticide Active Ingredient Production; amended March 27, 2014, at 79 FR 17339 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1369(c)(1) through (4).

50. through 51. No change.

52. 40 C.F.R. Part 63, Subpart PPP, Polyether Polyols Production; amended March 27, 2014, at 79 FR 17339 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1421(c)(1) through (4).

53. No change.

54. 40 C.F.R. Part 63, Subpart RRR, Secondary Aluminum Production; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.1519(c)(1) through (4).

55. through 59. No change.

60. 40 C.F.R. Part 63, Subpart CCCC, Manufacturing of Nutritional Yeast; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.2191(c)(1) through (4).

61. through 76. No change.

77. 40 C.F.R. Part 63, Subpart UUUU, Cellulose Products Manufacturing; amended February 27, 2014, 79 FR 11227 (link); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.5605(b)(1) through (4).

78. through 81. No change.

82. 40 C.F.R. Part 63, Subpart ZZZZ, Stationary Reciprocating Internal Combustion Engines; amended March 3, 2010, at 75 FR 9648 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended June 30, 2010, at 75 FR 37732 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended August 20, 2010, at 75 FR 51570 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended March 9, 2011, at 76 FR 12863 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>), amended March 6, 2013, at 78 FR 14457 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03497>); amended February 27, 2014, 79 FR 11227 ([link](#)); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.6670(c)(1) through (5).

83. through 101 No change.

102. 40 C.F.R. Part 63, Subpart UUUUU, Coal and Oil-Fired Electric Utility Steam Generating Units; promulgated February 16, 2012 at 77 FR 9303 ([link](#)); amended April 19, 2012, 77 FR 23399 ([link](#)); amended April 24, 2013, 78 FR 24073 ([link](#)); amended November 19, 2014, at 79 FR 68777 ([link](#)); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. §§ 63.10041(b)(1) through (4).

102. through 116. renumbered 103. through 117. No change.

(c) No change.

(d) General Subparts Adopted. The following general subparts of 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. 40 C.F.R. Part 63, Subpart A, General Provisions; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended March 21, 2011, at 76 FR 15554 ([link](#)); amended March 21, 2011, at 76 FR 15608 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03495>); amended January 5, 2012, at 77 FR 556 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended April 17, 2012, at 77 FR 22847 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 14, 2012, at 77 FR 48433 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 16, 2012 at 77 FR 49489 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended September 11, 2012, at 77 FR 55698 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended January 30, 2013, at 78 FR 6673 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03483>); amended January 31, 2013, at 78 FR 7137 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03496>); amended February 1, 2013, at 78 FR 7487 ([link](#)); amended

February 27, 2014, 79 FR 11227 ([link](#)); amended March 27, 2014, at 79 FR 17339 ([link](#)); except that the Secretary is not the Administrator for purposes of the authorities cited at 40 C.F.R. § 63.5(e), 40 C.F.R. § 63.5(f), 40 C.F.R. § 63.6(g), 40 C.F.R. § 63.6(h)(9), 40 C.F.R. § 63.6(j), 40 C.F.R. § 63.13, and 40 C.F.R. § 63.14.

2. through 5. No change.

(e) Appendices Adopted. The following appendices of 40 C.F.R. Part 63, revised as of July 1, 2009, or later as specifically indicated, are adopted and incorporated by reference:

1. Appendix A, Test Methods; amended September 13, 2010, at 75 FR 55636 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 27, 2014, 79 FR 11227 ([link](#)).

2. through 5. No change.

(12) through (14) No change.

(15) Title 40, Code of Federal Regulations, Part 70, State Operating Permit Programs. The provisions of 40 C.F.R. Part 70, §§ 70.1 through 70.11, revised as of July 1, 2001; amended June 27, 2003, at 68 FR 38517; amended June 3, 2010, at 75 FR 34513 (<https://www.flrules.org/Gateway/reference.asp?No=Ref-03488>), are adopted and incorporated by reference.

(16) through (22) No change.

(23) Title 40, Code of Federal Regulations, Part 81, Designation of Areas for Air Quality Planning Purposes.

(a) No change.

(b) 40 C.F.R. Part 81, Subpart C, Section 107 Attainment Status Designations, § 81.310, revised as of July 1, 2009; amended November 22, 2010, at 75 FR 71033 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended November 22, 2011, at 75 FR 72097 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended February 17, 2012, at 77 FR 9532 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01720>); amended May 21, 2012, at 77 FR 30087 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02487>); amended August 5, 2013, 78 FR 47191 ([link](#)); is adopted and incorporated by reference.

(c) No change.

(24) through (27) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13, 1-24-14, _____.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

64B5-13.0046 Citation Authority

PURPOSE AND EFFECT: The Board proposes the rule amendment to make necessary updates.

SUMMARY: References to repealed rules will be deleted from the rule. Incorrect citations and unnecessary citations will be deleted and updates to failing to timely release patient records will be made.

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

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

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

RULEMAKING AUTHORITY: 456.077, 466.004(4) FS.

LAW IMPLEMENTED: 456.072(3)(a), 456.077 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: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-13.0046 Citation Authority.

(1) Pursuant to Section 456.077, F.S. (2000), The Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if

there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation and the appropriate penalties for specific violations. ~~In addition to the penalty, the costs of the investigation and prosecution shall be assessed pursuant to Section 456.072(2), F.S.~~ The following subsections indicate those violations which may be disposed of by citation, with the accompanying penalty.

(2) through (5) No change.

~~(6) Violation of Rule 64B5 4.004, F.A.C., as follows:~~

~~(a) Violation of subsection 64B5 4.004(2), F.A.C., by providing an advertisement of specialty services which does not state whether the service will be performed by a general dentist or a specialist.~~

~~(b) Violation of subsection 64B5 4.004(4), F.A.C., by providing an advertisement that states that a dentist is a specialist when the dentist does not meet the applicable criteria.~~

~~(c) Violation of subsection 64B5 4.004(5), F.A.C., by advertising a service in a manner which in its form or content would lead a reasonable person to believe that the service is a specialty unless that service is a specialty recognized by the Board.~~

(7) No change.

(8) Violation of subsection 466.028(1)(n), F.S., failure to timely make available to a patient or client, or to his legal representative or to the Department, if authorized in writing by the patient, copies of documents in the possession or under control of the licensee, which relate to the patient or client. Timely means less than 30 days from the receipt of the written authorization. The subject of the citation has 10 business days from the date the citation becomes a final order to release the patient records. Failure to comply will result in a \$1,000.00 fine.

(9) through (17) No change.

Rulemaking Authority 456.077, 466.004(4) FS. Law Implemented 456.072(3)(a), 456.077 FS. History—New 12-24-91, Formerly 21G-13.0046, Amended 11-22-93, Formerly 61F5-13.0046, 59Q-13.0046, Amended 7-19-01, 10-9-06, 2-7-08, 8-25-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 15, 2014

DEPARTMENT OF HEALTH**Board of Dentistry**

RULE NO.: RULE TITLE:
64B5-17.002 Written Dental Records; Minimum Content;
Retention

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the requirements for dental records minimum content and retention.

SUMMARY: The requirements for the retention and minimum content for dental records 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. Specifically the Board took in to consideration all public comments and concerns made during the Board's Record's Task Force Committee meetings held on October 22, 2013; January 16, 2014; May 13, 2014 and October 22, 2014; and the November 6, 2014 meeting of the rules committee.

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: 466.004(4) FS.

LAW IMPLEMENTED: 456.058, 466.028(1)(m), (o), 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: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64B5-17.002 follows. See Florida Administrative Code for present text.)

64B5-17.002 Written Dental Records; Minimum Content, Retention.

A licensed dentist shall maintain patient dental records in a legible manner and with sufficient detail to clearly demonstrate why the course of treatment was undertaken.

(1) Dental Record: The dental record shall contain sufficient information to identify the patient, support the diagnosis, justify the treatment and document the course and results of treatment accurately, by including, at a minimum, patient histories; examination results; test results; records of drugs prescribed, dispensed, or administered; reports of consultation or referrals; and copies of records or reports or other documentation obtained from healthcare practitioners at the request of the dentist and relied upon by the dentist in determining the appropriate treatment of the patient.

(2) Record Alterations: Any additions, corrections, modifications, annotations, or alterations (hereinafter "change") to the original dental record entry must be clearly noted as such and must include the date when the change was made, must be initialed by the person making the change, and must have an explanation for the change. An original entry to the record cannot be partially or wholly removed. Rather, to represent the deletion of a record entry, the entry must be struck through where it will remain legible. A change made on the same date of the original entry must also include the time of change.

(3) Record Transfer or Release: Whenever patient records are released or transferred, the dentist releasing or transferring the records shall maintain either the original records or copies thereof and a notation shall be made in the retained records indicating to whom the records were released or transferred and the authority for such release. Transfer of records in a multi-practice dental office shall be done and documented in strict accordance with Section 466.018, F.S.

(4) Record Retention Period: A dentist shall maintain the written dental record of a patient for a period of at least four (4) years.

(a) The four (4) year retention period shall be calculated from the date the patient was last examined or treated by the dentist.

(b) Upon the death of the dentist, the retention provisions of Rule 64B5-17.001, F.A.C., are controlling.

(5) Appointment Book: Each licensed dentist shall retain a copy of each entry in his or her patient appointment book or such other log, calendar, book, file or computer data, used in lieu of an appointment book, for a period of no less than four (4) years from the date of each entry thereon.

(6) Dentist of Record: All records that are required by this rule and any other patient record shall be properly annotated to identify the dentist of record. The dentist of record is the dentist who:

(a) Is identified and noted in the patient record as the dentist of record;

(b) Provides a specific treatment or service and is noted in the patient record as the dentist of record for that treatment or service;

(c) If there has been more than one provider of treatment, is the dentist who places the final restoration, does the surgical procedure, makes the diagnosis or finishes the service or procedure in question; or

(d) If there has been more than one provider of treatment and neither paragraph (a) or (b) or (c) can be determined with reasonable certainty, the dentist of record reverts entirely back to the Florida licensed owner dentist of the dental practice in which the dental patient is seen or treated.

(7) Owner of Dental Practice: All dental records required by this rule and any additional records maintained in the course of practicing dentistry shall be the property of the Florida licensed owner dentist of the dental practice in which the dental patient is seen or treated and the owner dentist shall be ultimately responsible for all record keeping requirements set forth by statute or rule.

(a) The Florida licensed owner dentist is responsible for the records of patients seen or treated by any employee, associate, or visiting dentist.

(b) Multiple owners are severally and equally responsible for the records of patients seen or treated with the dental practice of that dental group.

(c) A lessor or owner dentist is not responsible for the records of an independent dentist who is merely leasing or renting space or staff services for the operation of a separate dental practice within the owner dentist's physical facility.

(8) Electronic Dental Records: Patient records may be kept in an electronic format, provided that the dentist maintains a back-up copy of information stored in the back-up data processing system using disk, tape, or other secure electronic back-up system, on site or off site, as long as the back-up system is updated in a time frame that does not exceed seventy-two hours (72 hrs.), to assure that data is not lost due to system failure. Any electronic data—system must be capable of producing a hard copy on lawful demand in accordance with and pursuant to federal or state laws and rules.

(9) Pro-Bono Dental Events: The Board of Dentistry encourages the provision of pro-bono dental screenings through organized events such as Dental Health Screenings and Give Kids a Smile Program. A strict interpretation of this rule would preclude such efforts to the detriment of the public. Therefore,

the Board deems that any records generated as a result of such limited, one-time pro-bono dental screenings, examinations, or treatments through organized events should be consistent with the nature and scope of the services rendered, should be provided to the recipient or guardian and will not result in the dentist performing such services becoming the dentist of record. The minimum content and record retention set forth in this rule shall not govern or be required. When the dentist performs such examinations or treatments each recipients or guardian shall be informed in writing of the following:

(a) The limitation of the screening to one-time dental examination and treatment that can reasonably be performed on the same day of screening. In addition, such examinations or treatments would or would not reasonably require follow-up treatment;

(b) The results of the screening examination or treatments; and

(c) That the screening is not representative of or a substitute for a comprehensive dental examination.

Rulemaking Authority 466.004(4) FS. Law Implemented 456.058, 466.028(1)(m), ~~(n)~~, 466.018 FS. History—New 10-8-85, Formerly 21G-17.02, Amended 10-28-91, Formerly 21G-17.002, Amended 11-22-93, Formerly 61F5-17.002, 59Q-17.002, Amended 11-15-99, 4-22-03, 3-14-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 16, 2014

Section III

Notice of Changes, Corrections and Withdrawals

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-1.6105 Limiting Conditions
 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. 40, No. 199, October 13, 2014 issue of the Florida Administrative Register.

These changes are in response to written comments received from the Joint Administrative Procedures Committee dated October 22, 2014. The changes are as follows:

40D-1.6105 Limiting Conditions.

(2) A permit may be assigned to a subsequent owner subject to all terms and conditions contained in such permit upon notification in writing to the District of such assignment, provided ownership, lease, or other control of all such lands is conveyed to the assignee and further provided that the assignee, by accepting such assignment, does assume responsibility for complying with all such terms and conditions. To assign an environmental resource permit issued prior to October 1, 2013, a subsequent owner must submit a Notification and Request for Transfer of Environmental Resource Permit, Form No. ~~LEG R.043.00 (4/09)~~, incorporated by reference in subsection 40D-4.351(1), F.A.C. To assign a water use permit, a subsequent owner must submit an Application to Transfer a Water Use Permit, Form No. ~~LEG R.002.04 (9/12)~~, incorporated by reference in subsection 40D-2.351(1), F.A.C., The assignee must also include the signature of the permittee(s) or a copy of the legally recorded deed(s) to all of the land covered by the permit. Copies of these forms may be obtained from the District’s website at www.watermatters.org or from the District offices.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-33.007 AHCA Forms Availability, Information and Website

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 194, October 6, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NO.: RULE TITLE:
61B-78.004 Enforcement Resolution and Civil Penalties

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 40, No. 192, October 2, 2014, issue of the Florida Administrative Register.

61B-78.004 Enforcement Resolution and Penalty Guidelines.

(1) through (6) No change.

(7) Penalties.

(a) Minor Violations. The following violations shall be considered minor due to their lower potential for public harm. If an enforcement resolution is utilized, the division shall

impose a civil penalty between \$1 and \$5 per unit for each minor violation. The penalty will be assessed beginning with the middle of the specified range and adjusted either up or down based upon any accepted aggravating or mitigating factors submitted with proper documentation. An occurrence of six or more aggravating factors or five or more mitigating factors will result in a penalty being assessed outside of the specified range. The total penalty to be assessed shall be calculated according to these guidelines or \$100, whichever amount is greater. In no event shall a penalty of more than \$2,500 be imposed for a single violation. The enumeration of violations is descriptive only; the full language of each statutory and rule provision cited must be consulted in order to determine the conduct included in the violation. The following are identified as minor violations:

SEE INDIVIDUAL SECTION III FOR TABLE

(b) Major Violations. The following violations shall be considered major due to their increased potential for public harm. If an enforcement resolution is utilized, the penalty will be assessed beginning with the middle of the specified range and adjusted either up or down based upon any accepted aggravating or mitigating factors submitted with proper documentation. An occurrence of six or more aggravating factors or five or more mitigating factors will result in a penalty being assessed outside of the specified range. The total penalty to be assessed shall be calculated according to these guidelines or \$100, whichever amount is greater. In no event shall a penalty of more than \$5,000 be imposed for a single violation. The enumeration of violations is descriptive only; the full language of each statutory and rule provision cited must be consulted in order to determine the conduct included in the violation. The penalties for each violation are as follows:

Level 1: \$6 – \$10 per unit.

Level 2: \$12 – \$20 per unit.

SEE INDIVIDUAL SECTION III FOR TABLE

Rulemaking Authority 719.501(1)(f) FS. Law Implemented 719.501(1)(d)4., 719.501(1)(m) FS. History—New 6-4-98, Amended

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
61J1-3.004 Issuance of Certification

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 192, October 2, 2014 issue of the Florida Administrative Register.

The correction is in response to the letter received from the Joint Administrative Committee dated October 10, 2014 and to correct the Notice of Correction published in Vol. 40, No. 241, of the December 15, 2014, issue of the Florida Administrative Register.

The correction to the SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION shall read as:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST 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:

- There is no adverse impact on the economy.
- There is no adverse impact on small businesses.

There is no increase directly or indirectly to regulatory costs in excess of \$200,000.

The rule is mandated by statute and the rule will not require ratification by the Legislature because all costs of the rule are required by the statute. 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Executive Director, Florida Real Estate Commission, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

DEPARTMENT OF HEALTH

RULE NOS.:	RULE TITLES:
64-4.001	Definitions
64-4.002	Initial Application Requirements for Dispensing Organizations
64-4.003	Biennial Renewal Requirements for Dispensing Organizations

64-4.004	Denial or Revocation for Dispensing Organization Approval
64-4.005	Inspection Procedures
64-4.006	Identification, Labeling and Testing Low-THC Cannabis Plants and Products
64-4.007	Recordkeeping and Reporting Requirements
64-4.008	Procedural Requirements
64-4.009	Compassionate Use Registry
NOTICE OF WITHDRAWAL	

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 158, August 14, 2014 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-4.001	Registration
64E-4.002	Definitions
64E-4.011	Notification and Reports of Incidents
64E-4.015	Report to Department

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 194, October 6, 2014 issue of the Florida Administrative Register.

1. In the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification portion of the rule notice the following statement was left off beginning right after the sentence that reads: A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The department relied upon its own experiences with other rulemaking and licensure of this type; the advice of the Advisory Council on Radiation Protection, and communications with JAPC identifying areas that needed to be clarified and updated. Therefore this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

2. In the text of subsection 64E-4.001(2), the title of the DH Form 1605 referenced in the text is added to read in coded text: Laser Device Registration Form.

3. In the text of subsection 64E-4.001(2), the title of the DH Form 1604 referenced in the text is added to read in coded text: Manufacturer’s Laser Device Registration Form.

4. In the text of subsection 64E-4.002 (5), at the end of the subsection, the following language is added to read in coded text:

The agency has determined that posting the publication on the internet for purposes of public inspection and examination would constitute a violation of federal copyright law.

5. The last three words of the title to Rule 64E-4.015, i.e., “About Laser Light Shows” is new language and will be underlined so that the title to this section in coded text will read: Report to the Department About Laser Light Shows.

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NO.: RULE TITLE:
66B-1.008 Project Eligibility
 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. 40, No. 219, November 10, 2014 issue of the Florida Administrative Register.

66B-1.008 Project Eligibility.

(1) Eligible Projects: Financial assistance and support through this program shall be used to plan or carry out public navigation and anchorage management, public recreation, environmental education, boating safety, acquisition and development of spoil sites and publicly owned commercial/industrial waterway access directly related to the waterways, acquisition and development of public boat ramps, launching facilities and boat docking and mooring facilities, and inlet management, maritime management planning, environmental mitigation and beach renourishment directly related to the waterways.

(a) Program funds may be used for projects such as acquisition planning, development, construction, reconstruction, extension or improvement, of the following for public use on land and water:

1. Public navigation channel dredging;
2. Public navigation aids and markers;
3. Inlet management projects that are a benefit to public navigation in the District;
4. Public shoreline stabilization directly benefiting the District’s waterway channels;
5. Acquisition and development of publicly owned spoil disposal site and public commercial/industrial waterway access;
6. Waterway signs and buoys for safety, regulation or information;
7. Acquisition, dredging, shoreline stabilization and development of public boat ramps and launching facilities;
8. Acquisition, dredging, shoreline stabilization and development of public boat docking and mooring facilities;
9. Derelict Vessel Removal;

10. Waterways related environmental education programs and facilities;

11. Public fishing and viewing piers;

12. Public waterfront parks and boardwalks and associated improvements;

13. Maritime Management Planning;

14. Waterways boating safety programs and equipment;

15. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project; and

16. Environmental restoration, enhancement or mitigation projects; and

17. Other waterway related projects. Navigation projects that do not meet specific criteria in subsection 66B-1.005(6), F.A.C., but are located on eligible waterways shall be considered for funding under the priority listing of “other waterway related project” and eligible for 25% funding.

(b) Ineligible Projects or Project Elements: Project costs ineligible for program funding or matching funds will include: contingencies, miscellaneous, reoccurring personnel related costs, land acquisition that is not for additional trailer parking at an existing boat ramp, irrigation equipment, ball-courts, park and playground equipment, and any extraneous recreational amenities not directly related to the waterway such as the following:

1. Landscaping that does not provide shoreline stabilization or aquatic habitat;
2. Restrooms for non-waterway users;
3. Roadways providing access to non-waterway users;
4. Parking areas for non-waterway users;
5. Utilities for non-waterway related facilities;
6. Lighting for non-waterway related facilities;
7. Project maintenance and maintenance equipment;
8. Picnic shelters and furniture;
9. Vehicles to transport vessels;
10. Operational items such as fuel, oil, etc.;
11. Office space that is not incidental and necessary to the operation of the main eligible public building; ~~and~~
12. Conceptual project planning, including: public surveys, opinion polls, public meetings, and organizational conferences; and
13. Inlet ~~channel~~ maintenance.

(c) Project Elements with Eligibility Limits: Subject to approval by the Board of an itemized expense list:

1. The following project costs will be eligible for program funding or as matching funding if they are performed by an independent contractor:
 - a. Project management, administration and inspection;
 - b. Design, permitting, planning, engineering or surveying costs for completed construction project;

c. Restoration of sites disturbed during the construction of an approved project; and

d. Equipment costs.

Before reimbursement is made by the District on any of the costs listed in subparagraph 1. above, a construction contract for the project approved and executed by the project sponsor and project contractor must be submitted to the District.

2. Marine fire-fighting vessels are eligible for a maximum of \$60,000 in initial District funding. Marine law enforcement and other vessels are eligible for a maximum of \$30,000 in initial District funding. All future replacement and maintenance costs of the vessel and related equipment will be the responsibility of the applicant.

3. Waterway related environmental education facility funding will be limited to those project elements directly related to the District’s waterways.

(d) Phasing of Projects: Applications for eligible waterway projects may be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work shall be submitted along with the Phase I application for Board review.

(2) through (7) No change.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 12-17-90, Amended 2-6-97, Formerly 16T-1.008, Amended 5-17-98, 3-31-99, 3-5-00, 3-21-01, 7-30-02, 3-20-03, 3-3-04, 4-15-07, 3-25-08, 4-1-09, 2-22-10, 3-7-11, 3-7-12, 1-27-14,_____.

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NO.: RULE TITLE:
66B-2.008 Project Eligibility
 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. 40, No. 219, November 10, 2014 issue of the Florida Administrative Register.

66B-2.008 Project Eligibility.

(1) Eligible Projects: Financial assistance and support through this program shall be used to plan or carry out public navigation and anchorage management, public recreation, environmental education, boating safety, acquisition and development of spoil sites and publicly owned commercial/industrial waterway access directly related to the waterways, acquisition and development of public boat ramps, launching facilities and boat docking and mooring facilities, inlet management, maritime management planning, environmental mitigation and beach renourishment.

(a) Program funds may be used for projects such as acquisition, planning, development, construction, reconstruction, extension, or improvement, of the following types of projects for public use on land and water. These project types will be arranged into a priority list each year by vote of the Board. The priority list will be distributed to applicants with the project application.

1. Public navigation channel dredging;
2. Public navigation aids and markers;
3. Inlet management projects that are a benefit to public navigation in the District;
4. Public shoreline stabilization directly benefiting the District’s waterway channels;
5. Acquisition and development of publicly owned spoil disposal site and public commercial/industrial waterway access;
6. Waterway signs and buoys for safety, regulation or information;
7. Acquisition, dredging, shoreline stabilization and development of public boat ramps and launching facilities;
8. Acquisition, dredging, shoreline stabilization and development of public boat docking and mooring facilities;
9. Derelict Vessel Removal;
10. Waterways related environmental education programs and facilities;
11. Public fishing and viewing piers;
12. Public waterfront parks and boardwalks and associated improvements;
13. Maritime Management Planning;
14. Waterways boating safety programs and equipment;
15. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project; and
16. Environmental restoration, enhancement or mitigation projects; and

17. Other waterway related projects. Waterway projects that do not meet specific criteria in subsection 66B-2.005(5) or (6) or subparagraphs 66B-2.008(1)(a)1.-16., F.A.C., but are located on eligible waterways shall be considered for funding under the priority listing of “other waterway related project” and eligible for 25% funding.

(b) Ineligible Projects or Project Elements. Project costs ineligible for program funding or matching funds will include: contingencies, miscellaneous, reoccurring personnel related costs, irrigation equipment, ball-courts, park and playground equipment, and any extraneous recreational amenities not directly related to the waterway such as the following:

1. Landscaping that does not provide shoreline stabilization or aquatic habitat;

2. Restrooms for non-waterway users;
3. Roadways providing access to non-waterway users;
4. Parking areas for non-waterway users;
5. Utilities for non-waterway related facilities;
6. Lighting for non-waterway related facilities;
7. Project maintenance and maintenance equipment;
8. Picnic shelters and furniture;
9. Vehicles to transport vessels; and
10. Operational items such as fuel, oil, etc.
11. Office space that is not incidental and necessary to the operation of the main eligible public building; ~~and~~
12. Conceptual project planning, including: public surveys, opinion polls, public meetings, and organizational conferences; and
13. Inlet ~~channel~~ maintenance.

(c) Project Elements with Eligibility Limits: Subject to approval by the Board of an itemized expense list:

1. The following project costs will be eligible for program funding or as matching funding if they are performed by an independent contractor:
 - a. Project management, administration and inspection;
 - b. Design, permitting, planning, engineering or surveying costs for completed construction project;
 - c. Restoration of sites disturbed during the construction of an approved project;
 - d. Equipment costs.

Before reimbursement is made by the District on any of the costs listed in subparagraph 1. above, a construction contract for the project, approved and executed by the project sponsor and project contractor must be submitted to the District.

2. Marine fire-fighting vessels are eligible for a maximum of \$60,000 in initial District funding. Marine law enforcement and other vessels are eligible for a maximum of \$30,000 in initial District funding. All future replacement and maintenance costs of the vessel and related equipment will be the responsibility of the applicant.

3. Waterway related environmental education facility funding will be limited to those project elements directly related to the District's waterways.

(d) Phasing of Projects: Applications for eligible waterway projects may be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work shall be submitted along with the Phase I application for Board review.

(2) through (7) No change.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 12-17-90, Amended 9-2-92, 6-24-93, 2-3-94, 4-12-95, 9-5-96, 2-6-97, Formerly 16T-2.008, Amended 5-17-98, 3-31-99, 5-25-00, 3-21-01, 7-30-02, 3-20-03, 3-3-04, 4-15-07, 3-25-08, 4-1-09, 2-22-10, 3-7-11, 3-7-12, 1-27-14, _____.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER14-69 MONOPOLY MILLIONAIRES' CLUB™ Game Ending

SUMMARY: This emergency rule sets forth the date for the end of sale of MONOPOLY MILLIONAIRES' CLUB™ lottery tickets.

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:

53ER14-69 MONOPOLY MILLIONAIRES' CLUB™
Game Ending.

(1) Sales for the online terminal lottery game MONOPOLY MILLIONAIRES' CLUB™ will end at 10:00 p.m. ET on December 26, 2014. The final weekly MONOPOLY MILLIONAIRES' CLUB drawing will occur at 11:15 p.m. ET on December 26, 2014.

(2) The provisions of Rule 53ER14-67, MONOPOLY MILLIONAIRES' CLUB™, F.A.C. shall remain in effect and govern MONOPOLY MILLIONAIRES' CLUB™ game tickets purchased between October 19, 2014, and December 26, 2014.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9) FS. History—New 12-16-14.

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: December 16, 2014

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on December 11, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Northwest Florida Community Hospital.

Petitioner seeks an emergency temporary variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-451).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on December 11, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for B229 Airport Office Building. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.20.9 and 2.24.2 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes, wedge shackles to secure the steel ropes and grooved sheaves of a minimum pitch diameter which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-452).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on December 12, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for The Villas at Sunset Bay. Petitioner seeks a variance of the requirements of an unspecified edition, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940

North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-453).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on December 15, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for St. Lucie Nuclear Station (Ecospace). Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-455).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on December 15, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for St. Lucie Nuclear Station. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.4.1.5, 2.15.9.2, 2.10.2.1 and 2.4.6.2(c), as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators retracting toe guard and folding car top handrail which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-454).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On December 15, 2014, the Division issued an order. The Final Order was in response to a Petition for a Variance from Bascom Palmer Eye Institute, filed November 13, 2014, and advertised on November 21, 2014, in Vol. 40, No. 227, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-423).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: RULE TITLE:

64B2-17.003 Acupuncture

NOTICE IS HEREBY GIVEN that on December 15, 2014, the Board of Chiropractic Medicine, received a petition for variance or waiver filed by Edwin A. Bayo, on behalf of Raphael John Piana, D.C. The Petitioner is seeking a waiver or variance of subsection 64B2-17.003(4), Florida Administrative Code, which requires that prior to any licensed chiropractic physician engaging in acupuncture, such physician, shall complete a minimal educational background of 100 hours of study in the practice of acupuncture with the courses or seminars being approved by this Board. Petitioner is also seeking a waiver or variance of subsection 64B2-17.003(5), Florida Administrative Code, which requires that prior to any chiropractic physician engaging in the practice of acupuncture, said physician shall be required to present certification to the Board of examination by an approved college or institution of said physician, after completion of said approved minimum course of study.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on December 4, 2014, the Board of Medicine, received a petition for waiver or variance filed by Mark Gladstein, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: André Ourso, J.D., M.P.H., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: December 18, 2014, 10:00 a.m. – Until Conclusion of Business

PLACE: ****Change in Location**** FDOT Burns Auditorium, 605 Suwannee Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: FTC Meeting/Teleconference: Discussion of FTC General Business. A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4105.

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: Lisa O. Stone at (850)414-4105. 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: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, FL 32399 or phone: (850)414-4105.

EXECUTIVE OFFICE OF THE GOVERNOR

The Correctional Medical Authority announces a public meeting to which all persons are invited.

DATE AND TIME: December 30, 2014, 2:00 p.m.

PLACE: The Capitol, Suite 705, 400 South Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting. 1(888)670-3525 (Toll Free); Conference Code: 6468673392#

A copy of the agenda may be obtained by contacting: (850)717-9500 or by mail at 400 South Monroe Street, Ste. #705, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: (850)717-9306. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF VETERANS' AFFAIRS

The Florida is for Veterans, Inc. Marketing Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 30, 2014, 10:00 a.m.

PLACE: Teleconference only: dial-in number: 1(888)670-3525, participant passcode: 3244965172 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of existing Veterans market research and performance measures.

A copy of the agenda may be obtained by contacting: Bobby Carbonell at (850)487-1533.

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: Bobby Carbonell at (850)487-1533. 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: Bobby Carbonell at (850)487-1533.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

The Board of Clinical Laboratory Personnel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 23, 2015, 9:00 a.m., meet me number: 1(888)670-3525, participant code: 7342425515

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Edith Rogers at edith.rogers@flhealth.gov or by accessing the board's website at: <http://floridasclinicallabs.gov/meeting-information/>.

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: Edith Rogers at edith.rogers@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: Edith Rogers at edith.rogers@flhealth.gov.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The Florida Concrete Masonry Education Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 7, 2015, 10:00 a.m.

PLACE: Mid Florida Tech., Room 160, 2900 W. Oak Ridge Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will conduct its first organization meeting and will discuss and/or approve its organizing documents, discuss operationalizing the law creating the Council in 2014 pursuant to Section 446.53, Florida Statutes (2014), and receive a presentation on the sunshine law, as well as obtain public input, and identify action items and next steps.

A copy of the agenda may be obtained by contacting: Pat McLaughlin at pat@floridamasonry.com or going to the Concrete Masonry Education Council website at <http://www.floridamasonrycouncil.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 96 hours before the workshop/meeting by contacting: Pat McLaughlin at pat@floridamasonry.com. If you are hearing or speech impaired, please contact the agency using

the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Pat McLaughlin at pat@floridamasonry.com or the Florida Concrete Masonry Council at <http://www.floridamasonrycouncil.org>.

TRANSPORTATION AND EXPRESSWAY AUTHORITY MEMBERSHIP OF FLORIDA (TEAMFL)

The Transportation and Expressway Authority Membership of Florida (TEAMFL) announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, January 22, 2015, 2:30 p.m. – 7:00 p.m.; Friday, January 23, 2015, 9:00 a.m. – 12:30 p.m.

PLACE: Hyatt Regency Orlando International Airport, 9300 Jeff Fuqua Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED: TEAMFL Annual Joint Meeting with the Florida Transportation Commission, co-hosted by Central Florida Expressway Authority. “Solutions Forum” Thursday, Jan. 22nd: Collaborations for Solutions Forum 2:30 p.m. Roundtable format with Agency leaders discussing a challenge or issue with TEAMFL attendees to come up with possible solutions. Evening Reception 5:30 p.m. Friday, Jan. 23rd: General Session 9:00 a.m., call to order by Atlee Mercer Chairman of TEAMFL, welcome remarks by Orange County Mayor Teresa Jacobs. 9:30 a.m., call to order by Ron Howse Chairman of FTC, FDOT Agency report. 11:00 a.m., TEAMFL Legislative White Paper for 2015 Legislative Session. 12:00 p.m. I-4 Ultimate Update by FDOT District 5.

A copy of the agenda may be obtained by contacting: TEAMFL at www.TEAMFL.org, 2121 Camden Road, Suite B, Orlando, FL 32803 or (407)896-0035.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: TEAMFL at 2121 Camden Road, Suite B, Orlando, FL 32803 or (407)896-0035. 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: Bob Hartnett, TEAMFL, 2121 Camden Road, Ste. B, Orlando, FL 32803, (407)896-0035 or teamfl@teamfl.org.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida Inc., Team Florida Marketing Partnership announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 21, 2015, 1:00 p.m. – 2:30 p.m.

PLACE: Doubletree Hotel, 101 South Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, deliberate new issues and consider other matters.

A copy of the agenda may be obtained by contacting: Kim Wilmes, (407)956-5628, kwilmes@eflorida.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 1 days before the workshop/meeting by contacting: Kim Wilmes, (407)956-5628, kwilmes@eflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kim Wilmes, (407)956-5628, kwilmes@eflorida.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES
Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has declined to rule on the petition for declaratory statement filed by AvidXchange, Inc. on December 16, 2014. The following is a summary of the agency’s declination of the petition:

A declaratory statement is not available to Petitioner because Petitioner is seeking approval of acts which have already occurred. The Order Denying Petition for Declaratory Statement in the matter of AvidXchange, Inc., was issued on December 12, 2014.

A copy of the Order Declining 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)410-9889.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P. O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889.

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

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filled 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**

DEPARTMENT OF MILITARY AFFAIRS
214001 NTC Orlando
STATE OF FLORIDA, DEPARTMENT OF MILITARY
AFFAIRS
PUBLIC ANNOUNCEMENT
INVITATION TO BID

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests bids from State of Florida registered licensed General or Building Contractors (GC) for the following project located at NTC Orlando, Orlando, Florida

FOR COMPLETE INFORMATION, & SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 12/17/2014 AT http://vbs.dms.state.fl.us/vbs/main_menu.

PROJECT: 214001 NTC Orlando

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

BID OPENING DATE: As stated on the Vendor Bid System (late bids will not be accepted)

MANDATORY PRE-BID/SITE VISIT DATE: As stated on the Vendor Bid System

GENERAL PROJECT DESCRIPTION (SEE BIDDING DOCUMENTS FOR COMPLETE DETAILS). This project consists of the construction of a new stand-alone, 12,500 SF Annex Building; a new standalone 2,000 SF Unit Storage Building (that will be bid as an alternate bid item); and a partial renovation of the existing 21,336 SF Armory Building. The Annex Building will be registered with the USGC to achieve a LEED Silver Rating for new construction and major renovations.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch, (904)823-0255, 827-8544 or e-mail: ng.fl.flarng.list.ngfl-cfmo-contracting@mail.mil.

Faxed or e-mailed bids are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

Section XII Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION Notice of Entry of Final Order Adopting the Lake Okeechobee Basin Management Action Plan

The Department of Environmental Protection gives notice that, pursuant to Section 403.067, F.S., a Final Order was entered on December 9, 2014 adopting the Lake Okeechobee Basin Management Action Plan (BMAP). The Lake Okeechobee BMAP identifies the management strategies necessary to achieve the total phosphorus Total Maximum Daily Load (TMDL) for this water body. The BMAP was developed as part of the Department's TMDL Program, as authorized under the Florida Watershed Restoration Act [Section 403.067, Florida Statutes (F.S.)]. The Final Order has been assigned OGC Case No. 14-0694. A copy of the BMAP is available at the following Florida Department of Environmental Protection District Offices: Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803; South District Office, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33901; Southeast District Office, 3301 Gun Club Road, MSC 7210-1,

West Palm Beach, Florida 33406. The BMAP and the adopted Final Order may also be obtained from the Department website at http://publicfiles.dep.state.fl.us/DEAR/BMAP/LakeOkeechobee/Final_BMAP.

A person whose substantial interests are affected by this Final Order may petition for an administrative proceeding (hearing) under Section 120.569 and 120.57, F.S., in accordance with the full notice of rights language contained in the Final Order. The petition, which must contain the information identified in the full notice of rights language contained in the Final Order, must be filed (received by the clerk) in the Department's Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 within 21 days of publication of this notice or within 21 days of receipt of the written notice, whichever occurs first.

A copy of the Final Order may also be obtained by contacting: Ms. Sara Davis, Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by calling (850)245-8825 or by email: sara.c.davis@dep.state.fl.us.

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.
