

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:

61G1-13.004 Pre-licensure Education Requirements

PURPOSE AND EFFECT: The Board proposes the new rule for out of state applicants by endorsement who must now complete a 2-hour class approved by the board on wind mitigation techniques, required by section 481.213(3)(c), F.S. (2020).

SUMMARY: New rule text.

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:

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: 481.213(6) FS.

LAW IMPLEMENTED: 481.219(3)(c) 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: Amanda Ackermann, Executive Director, Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, FL 32399-0790, (850)717-1400 or by electronic mail – Amanda.Ackermann@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-13.004 – Pre-Licensure Education Requirements.

(1) All endorsement applicants, pursuant to Section 481.213F.S., must complete two (2) hours of board approved education on wind mitigation techniques.

(2) All endorsement applicants may comply with wind mitigation techniques by completing the NCARB Part II of Wind Forces Part II: Wind Effects on Building/Procedures for Wind-Resistant Design and Practice, published 2017, at https://ce.ncarb.org/program_online_view_sa.php?prc=interna&pid=162.

Rulemaking Authority 481.213(6) FS. Law Implemented 481.209(3)(c) FS. - History - NEW, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Architecture and Interior Design

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Architecture and Interior Design

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: June 30, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: November 30, 2020

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-610.100	Purpose, and Applicability
62-610.200	Definitions
62-610.300	General Technical Guidance, Related Rules, Technical Publications and Forms
62-610.310	Engineering Report
62-610.320	Operation and Maintenance Requirements and Operating Protocols
62-610.330	Pretreatment Programs
62-610.412	Monitoring of Reclaimed Water and Ground Water
62-610.414	Storage Requirements
62-610.417	Surface Runoff Control and Subsurface Drainage
62-610.418	Access Control and Advisory Signs
62-610.419	Application/Distribution Systems and Cross- Connection Control
62-610.421	Setback Distances
62-610.450	Description of System
62-610.451	Minimum System Size
62-610.460	Waste Treatment and Disinfection
62-610.462	Reliability and Operator Staffing
62-610.463	Monitoring and Operating Protocol
62-610.464	Storage Requirements
62-610.466	Aquifer Storage and Recovery (ASR)
62-610.469	Application/Distribution Systems and Cross- Connection Control
62-610.471	Setback Distances
62-610.472	Supplemental Water Supplies
62-610.473	Hydraulic Loading Rates
62-610.475	Edible Crops at Commercial Agricultural Operations
62-610.476	Toilet Flushing and Fire Protection
62-610.480	Other Reuse Applications
62-610.491	Additional Operation and Maintenance Requirements
62-610.500	Description of System
62-610.510	Waste Treatment, Disinfection, and Monitoring
62-610.514	Storage Requirements
62-610.517	Surface Runoff Control and Subsurface Drainage
62-610.521	Setback Distances
62-610.523	Design and Operation Requirements
62-610.525	Projects Involving Additional Levels of Preapplication Treatment
62-610.550	Description of System
62-610.553	Minimum System Size
62-610.554	Discharge to Class I Surface Waters
62-610.555	Discharge to Other Surface Waters
62-610.556	Land Application
62-610.560	Ground Water Recharge by Injection
62-610.562	Salinity Barrier Systems
62-610.563	Waste Treatment and Disinfection
62-610.564	Pilot Testing Program

- 62-610.567 Reliability and Operator Staffing
- 62-610.568 Monitoring and Operating Protocol
- 62-610.571 Setback Distances
- 62-610.573 Storage Requirements
- 62-610.574 Access Control, Advisory Signs, and Public Notification
- 62-610.610 Waste Treatment and Disinfection
- 62-610.613 Monitoring of Effluent and Ground Water
- 62-610.614 Storage Requirements
- 62-610.617 Surface Runoff Control
- 62-610.621 Setback Distances
- 62-610.650 Description of System
- 62-610.652 Waste Treatment, Disinfection, and Monitoring
- 62-610.656 Storage Requirements
- 62-610.662 Setback Distances
- 62-610.668 Cooling Water Applications
- 62-610.669 Use of Reclaimed Water at Wastewater Treatment Plants
- 62-610.670 Industrial Discharge Limitations
- 62-610.800 Permitting Requirements
- 62-610.810 Classification of Projects as “Reuse” or “Disposal”
- 62-610.820 Reuse Feasibility Studies
- 62-610.830 Storage Lakes and Ponds
- 62-610.850 Protection of Surface Water and Ground Water Quality
- 62-610.860 Limited Wet Weather Discharge
- 62-610.865 Blending of Demineralization Concentrate with Reclaimed Water
- 62-610.870 Reporting and Enforcement
- 62-610.890 General Permit for Adding New Major Users to a Part III Reuse System

PURPOSE AND EFFECT: The Department of Environmental Protection is revising Chapter 62-610, F.A.C., to correct regulatory references and clarify current language which will ensure proper regulation for the use of reclaimed water in the state of Florida. The proposed revisions add clarity to both substantive and administrative aspects of the chapter.

SUMMARY: Proposed revisions to Chapter 62-610, F.A.C., correct regulatory references and clarify current language consistent with other title 62 chapters. Revisions include updating DEP Form 62-610.300(2)(a)2 “Annual Reuse Report” to require electronic submittal of the form through the Department’s online business portal. Revisions to DEP Form 62-610.300(2)(a)4, “Pathogen Monitoring” requires the electronic submittal of the form and eliminates the requirement for permittees to submit paper copies to multiple Department programs/offices. Two separate rulemaking efforts will be undertaken by the Department in order to amend the chapter. Phase I addresses revisions as outlined above. Phase II will address revisions to Rule chapter 62-610, F.A.C., Chapter 62-600, F.A.C. and Chapter 625, F.A.C. necessary to adopt recommendations of the Potable Reuse Commission’s 2020

report “Advancing Potable Reuse in Florida: Framework for the Implementation of Potable Reuse in Florida” as required by Florida’s Clean Waterways Act of 2020.

OTHER RULES INCORPORATING THESE RULES:

- 62-600.200, 62-600.430, 62-600.440, 62-600.445, 62-600.540, 62-600.550, 62-600.720, 62-600.740, 62-625.110, 62-625.500, 62-620.310, 62-620.620, 62-620.625, 62-620.630, 62-621.500.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The agency has determined that this rule will not have an impact on small business or likely increase directly or indirectly regulatory cost in excess of \$200,000 in the aggregate within one year after 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: Based on the Department’s economic review, neither a SERC nor legislative ratification is required because the adoption of the proposed rule does not increase regulatory costs directly or indirectly to the public. The proposed revisions contain procedural changes and clarifications to ensure consistency with other Department rules. The electronic submittal of the Annual Reuse Report via the Department’s online business portal and the electronic submittal of the Pathogens Monitoring Data would reduce costs to permittees by providing a faster, simpler and more efficient data submittal process.

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: 403.051, 403.061, 403.064, 403.087 FS.

LAW IMPLEMENTED: 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS.

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

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: Alexandra Spencer, Senior Program Analyst, Division of Water Resource Management, MS 3545, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8638 or by email at Alexandra.Spencer@FloridaDEP.gov. If you are hearing or speech impaired, please contact the agency by 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:

Alexandra Spencer, Senior Program Analyst, Division of Water Resource Management, MS 3545, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8638 or by email at Alexandra.Spencer@FloridaDEP.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

**CHAPTER 62-610
REUSE OF RECLAIMED WATER AND LAND APPLICATION**

PART I GENERAL

- 62-610.100 Purpose, and Applicability
- 62-610.200 Definitions
- 62-610.300 General Technical Guidance, Related Rules, Technical Publications and Forms
- 62-610.310 Engineering Report
- 62-610.320 Operation and Maintenance Requirements and Operating Protocols
- 62-610.330 Pretreatment Programs

PART II SLOW-RATE LAND APPLICATION SYSTEMS; RESTRICTED PUBLIC ACCESS

- 62-610.412 Monitoring of Reclaimed Water and Ground Water
- 62-610.414 Storage Requirements
- 62-610.417 Surface Runoff Control and Subsurface Drainage
- 62-610.418 Access Control and Advisory Signs
- 62-610.419 Application/Distribution Systems and Cross-Connection Control
- 62-610.421 Setback Distances

PART III SLOW-RATE LAND APPLICATION SYSTEMS; PUBLIC ACCESS AREAS, RESIDENTIAL IRRIGATION, AND EDIBLE CROPS

- 62-610.450 Description of System
- 62-610.451 Minimum System Size
- 62-610.460 Waste Treatment and Disinfection
- 62-610.462 Reliability and Operator Staffing
- 62-610.463 Monitoring and Operating Protocol
- 62-610.464 Storage Requirements
- 62-610.466 Aquifer Storage and Recovery (ASR)
- 62-610.469 Application/Distribution Systems and Cross-Connection Control
- 62-610.471 Setback Distances
- 62-610.472 Supplemental Water Supplies
- 62-610.473 Hydraulic Loading Rates
- 62-610.475 Edible Crops at Commercial Agricultural Operations
- 62-610.476 Toilet Flushing and Fire Protection
- 62-610.480 Other Reuse Applications

- 62-610.491 Additional Operation and Maintenance Requirements

PART IV RAPID-RATE LAND APPLICATION SYSTEMS (RAPID INFILTRATION BASINS AND ABSORPTION FIELDS)

- 62-610.500 Description of System
- 62-610.510 Waste Treatment, Disinfection, and Monitoring
- 62-610.514 Storage Requirements
- 62-610.517 Surface Runoff Control and Subsurface Drainage
- 62-610.521 Setback Distances
- 62-610.523 Design and Operation Requirements
- 62-610.525 Projects Involving Additional Levels of Preapplication Treatment

PART V GROUND WATER RECHARGE AND INDIRECT POTABLE REUSE

- 62-610.550 Description of System
- 62-610.553 Minimum System Size
- 62-610.554 Discharge to Class I Surface Waters
- 62-610.555 Discharge to Other Surface Waters
- 62-610.556 Land Application
- 62-610.560 Ground Water Recharge by Injection
- 62-610.562 Salinity Barrier Systems
- 62-610.563 Waste Treatment and Disinfection
- 62-610.564 Pilot Testing Program
- 62-610.567 Reliability and Operator Staffing
- 62-610.568 Monitoring and Operating Protocol
- 62-610.571 Setback Distances
- 62-610.573 Storage Requirements
- 62-610.574 Access Control, Advisory Signs, and Public Notification

PART VI OVERLAND FLOW SYSTEMS

- 62-610.610 Waste Treatment and Disinfection
- 62-610.613 Monitoring of Effluent and Ground Water
- 62-610.614 Storage Requirements
- 62-610.617 Surface Runoff Control
- 62-610.621 Setback Distances

PART VII INDUSTRIAL USES OF RECLAIMED WATER

- 62-610.650 Description of System
- 62-610.652 Waste Treatment, Disinfection, and Monitoring
- 62-610.656 Storage Requirements
- 62-610.662 Setback Distances
- 62-610.668 Cooling Water Applications
- 62-610.669 Use of Reclaimed Water at Wastewater Treatment Plants
- 62-610.670 Industrial Discharge Limitations

PART VIII PERMITTING

- 62-610.800 Permitting Requirements
- 62-610.810 Classification of Projects as “Reuse” or “Disposal”
- 62-610.820 Reuse Feasibility Studies
- 62-610.830 Storage Lakes and Ponds

- 62-610.850 Protection of Surface Water and Ground Water Quality
 62-610.860 Limited Wet Weather Discharge
 62-610.865 Blending of Demineralization Concentrate with Reclaimed Water
 62-610.870 Reporting and Enforcement
 62-610.890 General Permit for Adding New Major Users to a Part III Reuse System

PART I GENERAL

62-610.100 Purpose, and Applicability.

~~(1) Sections 403.064(1) and 373.250(1), F.S., establish the encouragement and promotion of water conservation and reuse of reclaimed water as state objectives and state that water conservation and reuse are in the public interest.~~

~~(2) Section 403.021(2), F.S., as amended, establishes that no wastes are to be discharged to any waters of the state without first being given the degree of treatment necessary to protect the beneficial uses of such water. Sections 403.085 and 403.086, F.S., set forth requirements for the treatment and reuse or disposal of domestic wastewater. Section 403.051(2)(a), F.S., requires that any Department planning, design, construction, modification or operating standards, criteria, and requirements for wastewater facilities be developed as a rule. This chapter is promulgated to implement the requirements of sections 403.051, 403.085, 403.086, 403.087, 403.088, F.S., concerning domestic wastewater facilities.~~

~~(3) It is the policy of the Department to encourage an applicant, before submittal of a permit application, to evaluate alternative wastewater management techniques and to discuss alternatives with the Department.~~

~~(a) The Department encourages inclusion of public health, economic, scientific, energy, engineering and environmental considerations in such evaluations. Each prospective domestic wastewater facility shall be assessed on an individual basis.~~

~~(b) The Department encourages environmentally acceptable alternatives which provide the most economic and energy efficient methods of complying with the requirements of this rule, and promote the beneficial reuse of reclaimed waters and treated residuals.~~

~~(4) The Commission, recognizing the complexity of water quality management and the necessity to temper regulatory actions with the realities of technological progress and social and economic well being, nevertheless, intends to prohibit any discharge that constitutes a hazard to human health.~~

~~(5) These rules shall be construed to assure that all waters of the state shall be free from components of wastewater discharges which, alone or in combination with other substances, are acutely toxic; are present in concentrations which are carcinogenic, mutagenic, or teratogenic to humans, animals, or aquatic species; or otherwise pose a serious threat to the public health, safety, and welfare.~~

~~(6) This rule contains the specific reuse and land application requirements of the Florida Department of Environmental Protection and of Local Pollution Control Programs approved and established pursuant to section 403.182, F.S., where such authority has been delegated to those programs. It may be necessary for domestic wastewater facilities to conform with requirements of other agencies, established via interagency agreements (e.g., for mosquito control). The absence of reference to such arrangements in this rule does not eliminate the need to comply with those requirements.~~

~~(1)(7) The purpose of Chapter 62-610, F.A.C., is to provide design and operation and maintenance criteria for land application systems that may discharge reclaimed waters or domestic wastewater effluent to Class G-II ground waters and to a limited extent to Class G-I and F-I ground waters (as defined by Chapter 62-520, F.A.C.). This chapter also provides design and operation and maintenance criteria for surface water discharge projects involving reuse for ground water recharge, indirect potable reuse, or other beneficial purposes described in this chapter. The requirements in this rule shall apply to systems involving potential discharges to Class G-I and F-I ground waters (as defined by Chapter 62-520, F.A.C.) to the extent that these rule provisions do not conflict with requirements for G-I and F-I ground waters. Supported by moderating provisions, it is intended that Chapter 62-610, F.A.C., establish a framework whereby design flexibility and sound engineering practice can be used in developing systems with which to manage domestic wastewater in an environmentally sound manner. This chapter rule contains operation and maintenance requirements so as much information as possible on reuse and land application can be presented in a single chapter rule.~~

~~(2)(8) Chapter 62-610, F.A.C., shall be used in conjunction with Chapter 62-600, F.A.C. Systems shall be designed in accordance with sound engineering practice. Minimum design waste treatment and disinfection standards are specified in Rules 62-600.420 and 62-600.440, F.A.C. Additional waste treatment standards, where appropriate, are addressed in this chapter rule.~~

~~(3)(9) Applicability.~~

~~(a) No change.~~

~~(b) Unless specifically provided otherwise in this chapter, requirements in this chapter shall apply to all new reuse and land application systems for which construction permit applications or initial permits which authorize construction are approved by the Department on or after April 5, 1989. This chapter also shall apply to all existing facilities when such facilities are to be modified or expanded, but this chapter shall apply only to the expansion or modification thereof, or if treatment processes are altered such that the quality of~~

reclaimed water or effluent or reliability of such processes is adversely affected. Re-rating of an existing reuse or land application system or site such that the permitted capacity of the system or site is increased shall be considered an expansion, even if there is no increase in physical size of the system or site.

(c) All reuse systems, to which construction permits were approved by the Department on or before April 5, 1989, involving irrigation of public access areas, residential properties, and edible crops (systems subject to regulation under Part III of this chapter rule), shall meet the waste treatment and disinfection requirements contained in subsection 62-610.460(1), F.A.C. The waste treatment and disinfection requirements contained in subsection 62-610.460(1), F.A.C., shall not apply to citrus irrigation systems if:

1. Public access shall be restricted,
2. The reclaimed water shall not directly contact the fruit,
3. The fruit that is produced shall be processed before human consumption; and,
4. Secondary treatment and basic disinfection shall be provided.

(d) through (e) No change.

(f) The requirements of Parts V and VII of this chapter and Rule 62-610.525, F.A.C., shall apply to projects for which complete permit applications that request authorization for construction of domestic wastewater treatment facilities or reuse facilities were received by the Department after August 8, 1999, unless specifically stated otherwise within this chapter.

(g) Requirements for setback distances to unlined storage ponds in subsection 62-610.521(10), F.A.C., shall apply to new unlined storage ponds. These setback distances shall not apply to existing installations, as defined in Rule 62-521.200, F.A.C.

(h) Subsections and subsections and Rules 62-610.421(10), 62-610.466, 62-610.471(9), 62-610.472, 62-610.652(5), 62-610.668(2) and 62-610.865, F.A.C., shall apply to projects for which complete permit applications ~~that request authorization for construction of~~ domestic wastewater treatment facilities or reuse facilities were received by the Department on or after August 8, 1999. These subsections and rules also shall apply to existing projects which are being expanded or modified; however, these rule requirements shall apply only to the expanded or modified portion of the project.

(i) No change.

(j) The Cryptosporidium and Giardia sampling required by subsections and paragraphs 62-610.463(4), 62-610.472(3)(d), 62-610.525(13), 62-610.568(10), 62-610.568(11) and 62-610.652(6)(c), F.A.C., shall apply to all (new and existing) facilities that provide reclaimed water for the types of reuse activities regulated by the part of this chapter that contains the rule requiring this sampling. The Cryptosporidium and Giardia sampling required by paragraph 62-610.472(3)(d), F.A.C., shall apply to all (new and existing) facilities that use surface water

or treated stormwater as supplemental water supplies for a reuse system regulated under Part III of this chapter.

(k) No change.

(l) Existing facilities (those that had construction permit applications or initial permit applications which authorized construction approved by the Department on or before April 5, 1989) shall comply with the requirements of Part III of this chapter, 62-610, F.A.C., on January 1, 2010. This applies only to facilities that make reclaimed water available for one or more activities regulated by Part III of this chapter (such as irrigation of public access areas, residential properties, or edible crops; toilet flushing; fire protection; construction dust control; aesthetic purposes; or other activities listed in Rule 62-610.480, F.A.C.). These existing projects previously have been granted grandfathering protection under paragraphs 62-610.100(9)(b) and (c), F.A.C. ~~All permit applications submitted for these existing facilities between August 8, 1999 and December 31, 2009, shall describe construction and other actions needed to bring these facilities into compliance with the Part III requirements by January 1, 2010. Existing facilities are exempt from~~ The following portions of Part III of this chapter: will not apply to existing facilities on January 1, 2010:

1. Minimum system size in Rule 62-610.451, F.A.C.

2. The color coding requirements in paragraph 62-610.469(7)(f), F.A.C. This exemption applies ~~exclusion will apply~~ to all existing reclaimed water pipes installed before January 10, 2010.

3. Setback distance requirements in Rule 62-610.471, F.A.C. This exemption applies ~~exclusion will apply~~ to all existing reclaimed water pipes and existing areas receiving reclaimed water. Pipes installed constructed on or after January 1, 2010, and new or expanded areas constructed on or after January 1, 2010, to receive reclaimed water shall comply with the setback distance requirements.

~~(4)(4)~~ Other Reuse and Land Application Systems. The Department shall approve preapplication treatment, disinfection, reliability, storage, setback distance, monitoring, and other design and operational control measures for reuse and land application systems not addressed in Parts II, III, IV, V, VI, or VII, including systems comprising components of slow-rate, rapid-rate, or overland flow involving potential discharges to ground water or surface water, if the applicant provides reasonable assurances in the engineering report that the design and operational controls proposed by the applicant will result in compliance with ground water quality and surface water quality standards and that public health will be protected. To the extent practicable, design and operational control measures should be established based on the most similar reuse or land application type described in Parts II, III, IV, V, VI, or VII based on system design, application rates, land management practices,

and potential for affecting ground water or surface water quality and uses.

(5)(14) The Department encourages efficient and effective use of reclaimed water featuring relatively high potable quality water offset or recharge fractions such as described in Table 5 in the publication entitled, *Water Reuse for Florida: Strategies for Effective Use of Reclaimed Water*.

(6) Potable reuse projects are considered projects of heightened public interest for the purpose of subsection 62-110.106(6), F.A.C., and subparagraph 62-110.106(7)(a)1, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.100, Amended 1-9-96, 8-8-99, 11-19-07, ____.

62-610.200 Definitions.

Terms used in this chapter rule shall have the meaning specified below. The meaning of any term not defined below may shall be taken from definitions in other rules of the Department.

(1) No change.

(2) “Aquifer” means the same as defined in Rule 62-520, F.A.C. a geological formation, group of formations, or part of a formation (stratum) that is capable of yielding potentially usable quantities of water from wells or springs.

(3) through (4) No change.

(5) “Blend ratio” means the ratio of the flow of reclaimed water to the flow of concentrate in a blending operation, as described in Rule 62-610.865, F.A.C.

(6) “Carbonaceous biochemical oxygen demand (CBOD5)” means the same as defined in Rule 62-600.200, F.A.C. the quantity of oxygen utilized in the carbonaceous biochemical oxidation of organic matter present in a water or wastewater, reported as a five day value determined using approved methods.

(7) No change.

(8) “Demineralization concentrate” means the same as defined in Rule 62-620.200, F.A.C. the concentrated byproduct water, brine, or reject water produced by ion exchange or membrane separation technologies (such as reverse osmosis, membrane softening, ultra filtration, membrane filtration, electrodialysis, and electrodialysis reversal) used for desalination, softening, or reducing total dissolved solids during water treatment for public water supply purposes. Within this chapter, demineralization concentrate will also be referred to as “concentrate.”

(9) through (10) No change.

(11) “Direct contact irrigation” and “direct application” mean an irrigation method, such as spray irrigation, resulting in reclaimed water directly contacting the edible crop.

(11)(12) “Disinfection” means the same as defined in Rule 62-600.200, F.A.C. selective destruction of pathogens in reclaimed water, wastewater effluents, and residuals.

(13) through (14) renumbered (12) through (13) No change.

(14)(15) “Domestic wastewater” means the same as defined in Rule 62-620.200, F.A.C. wastewater derived principally from dwellings, business buildings, institutions, and the like; sanitary wastewater; sewage. Where wastewater from sources other than typical domestic sources (e.g., industrial sources) is combined and treated with wastes from domestic sources, the determination of whether or not the wastewater treatment plant is designated as “domestic” shall be made by the Department considering any or all of the following: residuals classification; whether wastewaters have been pretreated or contain constituents within 50-150%, by concentration, of typical domestic wastewater; and whether the permittee, when not required to provide more stringent or otherwise specific levels of treatment, can provide assurance of facility compliance with domestic wastewater treatment standards contained in chapter 62-600, F.A.C.

(16) through (18) renumbered (15) through (17) No change.

(18)(19) “Effluent limitation” means the same as defined in Rule 62-620.200, F.A.C. any restriction established by the Department on quantities, rates, or concentrations of chemical, physical, biological, or other constituents which are discharged from sources into the environment of the state.

(19)(20) No change.

(20)(21) “Estuary” means the same as defined in Rule 62-303.200, F.A.C. a semi enclosed naturally existing coastal body of water which has a free connection with the open sea and within which the chloride concentration at the surface is equal to or greater than 1,500 milligrams per liter.

(21)(22) No change.

(22)(23) “Ground water” means the same as defined in Rule 62-520.200, F.A.C. water below the land surface in the zone of saturation where water is at or above atmospheric pressure.

(23)(24) “Holding pond” means the same as defined in Rule 62-600.200, F.A.C. a storage tank or artificial impoundment or pond constructed above, on, below, or partly below the ground surface that is designed and maintained to store a specific volume of fluid and minimize fluid losses other than those primarily occurring by evaporation; generally, holding ponds are not intended to provide a mechanism for pollutant reduction. When used in conjunction with rapid rate land application systems or other systems described in this rule, holding ponds can also provide a mechanism to accomplish nitrogen reduction.

(24)(25) No change.

~~(25)(26) “Indirect application irrigation” and “Indirect contact irrigation” mean irrigation methods, such as ridge and furrow irrigation, drip irrigation, and subsurface distribution systems, which minimize direct contact of reclaimed water with the edible crops crop.~~

~~(27) through (28) renumbered (26) through (27) No change.~~

~~(28)(29) “Land application” means the same as defined in Rule 62-600.200, F.A.C. reuse of reclaimed water or the disposal of effluent on, above, or into the surface of the ground through spray irrigation, other irrigation techniques, rapid rate systems, absorption fields, overland flow systems, or other methods.~~

~~(30) “Local program” means any county, municipality, or combination thereof that has established and administers a pollution control program approved by the Department in compliance with section 403.182, F.S., as amended.~~

~~(31) “Milligrams per liter (mg/L)” means the quantity of material present in water or wastewater expressed on the basis of the weight (milligrams) per unit volume of solution (liter).~~

~~(29)(32) “Modification” means the same as defined in Rule 62-600.200, F.A.C. any alteration, expansion, upgrade, extension, addition, or replacement of an existing wastewater or reuse facility for which a permit is required from the Department after the effective date of this rule.~~

~~(30)(33) “Monitoring well” means the same as defined in Rule 62-600.200, F.A.C. a strategically located well from which ground water levels are measured and samples are withdrawn for water quality analysis.~~

~~(31)(34) “Nitrate (NO₃)” means the same as defined in Rule 62-600.200, F.A.C. nitrogen content present in water or wastewater attributable to the nitrate (NO₃⁻) ion and expressed as elemental nitrogen, N, as determined using approved methods.~~

~~(32)(35) No change.~~

~~(33)(36) “Operator” means the same as defined in Rule 62-600.200, F.A.C. any person who is principally engaged in and is in charge on site of the actual treatment plant operation and includes the person who is in charge of treatment plant operation for a shift or period of operation during any part of the day, as certified in accordance with chapter 61E12 41, F.A.C.~~

~~(37) through (38) renumbered (34) through (35) No change.~~

~~(36)(39) “Permittee” means the same as defined in Rule 62-600.200, F.A.C. person or entity to which a permit for a wastewater facility is issued by the Department. The term “permittee” shall be functionally synonymous with the terms “owner” and “licensee,” but shall not include licensed individuals (e.g., operators) unless they are the person(s) to whom a facility permit is issued by the Department. The term~~

~~shall extend to a permit “applicant” for purposes of this rule. To the extent that this rule imposes duties with respect to the construction, operation, maintenance or monitoring of a facility and for reporting to or securing permits from the Department, ultimate responsibility lies with the owner of the facility. Nevertheless, chapter 403, F.S., creates joint and several liability for those responsible for violations.~~

~~(37)(40) “pH” means the the same as defined in Rule 62-600.200, F.A.C. negative common logarithm of the hydrogen-ion activity in moles per liter, as determined using approved methods.~~

~~(38)(41) “Pollution” means same as defined in Section 403.031(7), F.S. the presence in the outdoor atmosphere or waters of the state of any substances, contaminants, noise, or man made or man induced alteration of the chemical, physical, biological, or radiological integrity of air or water in quantities or levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, including outdoor recreation.~~

~~(42) through (43) renumbered (39) through (40) No change.~~

~~(41)(44) “Preapplication waste treatment” means the same as defined in Rule 62-600.200, F.A.C. that level of treatment provided prior to application of reclaimed water or wastewater to a land application system.~~

~~(42)(45) No change.~~

~~(43)(46) “Public water supply well” means a well constructed for the purpose of supplying water to a public water system, as defined in Rule 62-550.200, F.A.C., or in chapter 64E 8, F.A.C.~~

~~(44)(47) No change.~~

~~(45)(48) “Reclaimed water,” means the same as defined in Rule 62-600.200, F.A.C. except as specifically provided in chapter 62 610, F.A.C., means water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a domestic wastewater treatment facility.~~

~~(49) through (51) renumbered (46) through (48) No change.~~

~~(49)(52) “Reuse” means the deliberate application of reclaimed water, in compliance with Department and District rules, for a beneficial purpose. Criteria used to classify projects as “reuse” or “effluent disposal” are contained in Rule 62-610.810, F.A.C.~~

~~(50)(53) No change.~~

~~(51)(54) “Secondary treatment” means the same as defined in Rule 62-600.200, F.A.C. wastewater treatment to a level that will achieve the effluent limitations specified in paragraph 62-600.420(1)(a), F.A.C.~~

~~(52)(55) “Secretary” means the same as defined in Section 403.803(12), F.S. Secretary of the Department.~~

~~(56) through (58) renumbered (53) through (55) No change.~~

~~(56)~~~~(59)~~ “Subsurface application system” means a network of small diameter, porous or perforated pipes installed horizontally at depths generally less than 12 inches for the purpose of releasing reclaimed water at or near the root zone of the vegetated cover. The release of reclaimed water shall be below the ground surface. This type of application system shall be permitted under ~~Part II, part III, or part IV~~ of this chapter 62-610, F.A.C., depending on the loading rates used, degree of public access, characteristics of the site, system design, and mode of operation.

~~(57)~~~~(60)~~ No change.

~~(58)~~~~(61)~~ “Surface water” means surface water as defined in Section 373.019(21), F.S. ~~water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth’s surface.~~

~~(59)~~ “Technology-based effluent limitation (TBEL)” means the same as defined in Rule 62-600.200, F.A.C.

~~(60)~~~~(62)~~ “Total Kjeldahl Nitrogen (TKN)” means the same as defined in Rule 62-600.200, F.A.C. sum of free ammonia and organic nitrogen compounds in water or wastewater and expressed as elemental nitrogen, N, as determined using approved methods.

~~(61)~~~~(63)~~ “Total suspended solids (TSS)” means the same as defined in Rule 62-600.200, F.A.C. solids that either float on the surface of, or are suspended in, water or wastewater; the quantity of material removed from a sample in a laboratory test referred to as nonfilterable residue, as determined using approved methods.

~~(62)~~~~(64)~~ “Treatment” means the same as defined in Rule 62-600.200, F.A.C. any method, technique, or process which changes the physical, chemical, or biological character or composition of wastewater and thereby reduces its potential for polluting waters of the state.

~~(63)~~~~(65)~~ “Treatment plant” means the same as domestic wastewater treatment plant as defined in Section 403.866(2), F.S. any plant or other works used for the purpose of treating, stabilizing, or holding wastes.

~~(64)~~~~(66)~~ No change.

~~(65)~~~~(67)~~ “Type I facility” means the same as defined in Rule 62-600.200, F.A.C. a wastewater facility having a design average daily flow of 500,000 gallons per day or greater.

~~(66)~~~~(68)~~ “Type II facility” means the same as defined in Rule 62-600.200, F.A.C. a wastewater facility having a design average daily flow of 100,000 up to but not including 500,000 gallons per day.

~~(67)~~~~(69)~~ “Type III facility” means the same as defined in Rule 62-600.200, F.A.C. a wastewater facility having a design average daily flow of over 2,000 up to but not including 100,000 gallons per day.

~~(68)~~~~(70)~~ “Underground injection” means the same as defined in Rule 62-600.200, F.A.C. effluent disposal by well injection into underground geologic formations.

~~(69)~~~~(71)~~ “Unrestricted access” means that access to the reuse site by the general public is uncontrolled or that the site is frequently used by humans. An area having unrestricted access is a “public access area” as defined in subsection ~~62-610.200(42)- 62-610.200(45)~~, F.A.C.

~~(70)~~ “Underground source of drinking water (USDW)” means the same as defined in Rule 62-528.200, F.A.C.

~~(71)~~~~(72)~~ No change.

~~(72)~~~~(73)~~ “Wastes” means the same as defined in Section 403.031(12), F.S. sewage, industrial wastes, and all other liquid, gaseous, solid, radioactive, or other substances which may pollute or tend to pollute any waters of the State.

~~(73)~~~~(74)~~ “Wastewater” means the same as defined in Rule 62-600.200, F.A.C. combination of liquid and water-carried pollutants from residences, commercial buildings, industrial plants, and institutions together with any ground water, surface runoff or leachate that may be present.

~~(74)~~~~(75)~~ “Wastewater facilities” means the same as defined in Rule 62-620.200, F.A.C. any or all of the following: the collection/transmission system, the treatment plant, and the reuse or disposal system.

~~(75)~~~~(76)~~ “Waters” means the same as defined in Section 403.031(13), F.S.

~~(76)~~~~(77)~~ “Water quality-based effluent limitation (WQBEL)” means the same as defined in Rule 62-600.200, F.A.C. an effluent limitation, which may be more stringent than a technology-based effluent limitation, that has been determined necessary by the Department to ensure that water quality standards in a receiving body of water will not be violated.

~~(77)~~~~(78)~~ “Water quality standards” means the same as defined in Rule 62-600.200, F.A.C. standards comprised of designated most beneficial uses (classification of waters), the numerical and narrative criteria applied to the specific water use or classification, the Florida anti degradation policy, and the moderating provisions contained in chapters 62-302 and 62-4, F.A.C.

~~(78)~~~~(79)~~ “Water table” means the same as defined in Rule 62-520.200, F.A.C. upper surface of the zone of saturation where ground water pressures are equal to atmospheric pressure, except where that surface is formed by an impermeable stratum.

~~(79)~~~~(80)~~ “Wellhead protection area” means the same as defined in Rule 62-521.200, F.A.C. an area designated by the Department in chapter 62-521, F.A.C., consisting of a 500-foot radial setback distance around a potable water well, as defined in rule 62-521.200, F.A.C., where ground water is provided the most stringent protection measures to protect the ground water

source for a potable water well and includes the surface and subsurface area surrounding the well.

(80) “Zone of Discharge” means the same as defined in Rule 62-520.200, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.200, Amended 1-9-96, 8-8-99, 11-19-07, ____.

62-610.300 General Technical Guidance, Related Rules, Technical Publications and Forms.

(1) The technical standards and criteria contained in the following standard manuals and technical publications listed below are hereby incorporated by reference and shall be applied, if applicable, in determining whether permits allowing construction, modification or implementation of reuse and land application projects shall be issued or denied. The following publications are referenced as technical guidance to assist utilities and engineers in planning, design, construction, and implementation of reuse and land application projects. Specific publications or portions of publications which contain enforceable criteria are specifically referenced elsewhere in this chapter. Information in the publications listed below does not supersede the specific requirements in this chapter.

(a) ~~U.S. Environmental Protection Agency, 1981. Land Treatment of Municipal Wastewater Process Design Manual. EPA Center for Environmental Research Information, 26 West Martin Luther King Drive, Cincinnati, Ohio 45268.~~

(b) ~~U.S. Environmental Protection Agency, 1977. Wastewater Treatment Facilities for Sewered Small Municipalities Process Design Manual. EPA Center for Environmental Research Information, 26 West Martin Luther King Drive, Cincinnati, Ohio 45268.~~

(c) through (d) redesignated (a) through (b) No change.

(e) ~~U.S. Environmental Protection Agency, 1980. Design Manual Onsite Wastewater Treatment and Disposal Systems. EPA Center for Environmental Research Information, 26 West Martin Luther King Drive, Cincinnati, Ohio 45268.~~

(f) through (g) redesignated (c) through (d) No change.

(h) ~~U.S. Environmental Protection Agency, 1984. Land Treatment of Municipal Wastewater—Supplement on Rapid Infiltration and Overland Flow—Process Design Manual. EPA Center for Environmental Research Information, 26 West Martin Luther King Drive, Cincinnati, Ohio 45268.~~

(i) ~~Water Pollution Control Federation, 1989. Manual of Practice SM 3. Water Reuse. W.P.C.F., 601 Wythe Street, Alexandria, Virginia 22314 1994.~~

(j) ~~Water Environment Federation and American Water Works Association, 1998. Using Reclaimed Water to Augment Potable Water Resources. W.E.F., 601 Wythe Street, Alexandria, Virginia 22314 1994, or A.W.W.A., 6666 West Quincy Avenue, Denver, Colorado 80235.~~

(k) ~~U.S. Environmental Protection Agency and the U.S. Agency for International Development. 1992. Guidelines for Water Reuse. Report EPA/625/R-92/004. EPA Center for Environmental Research Information, 26 West Martin Luther King Drive, Cincinnati, Ohio 45268.~~

(l) redesignated (e) No change.

(m) ~~National Research Council, 1998. Issues in Potable Reuse: The Viability of Augmenting Drinking Water Supplies With Reclaimed Water. National Academy Press, 2101 Constitution Avenue, NW, Washington, DC 20418.~~

(n) ~~Reuse Coordinating Committee and Water Conservation Initiative Water Reuse Workgroup, 2003. Water Reuse for Florida: Strategies for Effective Use of Reclaimed Water. Department of Environmental Protection, Domestic Wastewater Section, MS 3540, Blair Stone Road, Tallahassee, FL 32399 2400 (www.dep.state.fl.us/water/reuse/).~~

(2) ~~Members of the public may request and obtain copies of the publications listed in subsection 62-610.300(1), F.A.C., by contacting the appropriate publisher at the address indicated. Copies of the above publications are on file with the Florida Secretary of State and the Joint Administrative Procedures Committee. Copies are also on file and available for review in the Department’s Tallahassee offices and in the Department’s district and branch offices where they may be reviewed during normal business hours.~~

(2)(3) ~~Related rules. The following Department rules may be applicable to reuse and land application projects, depending on the nature and scope of the project. This listing is provided solely for the purpose of noting other Department rules which the applicant may need to consult and comply with during the planning, design, construction, and operation of reuse or land application projects. This listing is not intended to be a comprehensive listing of every rule which may be applicable.~~

(a) ~~Antidegradation policy requirements are contained in Rules 62-4.242 and 62-302.300, F.A.C.~~

(b) ~~Cross-connection control program requirements are contained in Chapter 62-555, F.A.C.~~

(c) ~~Disinfection criteria are contained in Rule 62-600.440, F.A.C., which lists the design and performance standards for high-level, intermediate, basic, and low-level disinfection.~~

(d) ~~Domestic wastewater facility requirements are contained in Chapters 62-600, and ~~62-600~~, F.A.C., contains design, operation, and compliance requirements for all domestic wastewater facilities. Treatment levels, disinfection requirements, and pH requirements also are contained.~~

(e) ~~Drinking water standards are contained in Chapter 62-550, F.A.C.~~

(f) ~~Fees related to permitting are listed in Chapter 62-4, F.A.C.~~

(g) ~~Ground water quality standards are contained in Chapter 62-520, F.A.C.~~

(h) Industrial pretreatment requirements (within Department rules these are referred to as “pretreatment requirements”) are contained in Chapter 62-625, F.A.C.

(i) Monitoring requirements are contained in Chapter 62-600 ~~62-601~~, F.A.C. Requirements for ground water monitoring plans are contained in Chapter 62-520, F.A.C.

(j) Operator certification requirements are contained in Chapter 62-602 ~~62-612-41~~, F.A.C.

(k) Operator staffing requirements are contained in Chapter 62-699, F.A.C.

(l) Permitting requirements are contained in Chapter 62-620, F.A.C.

(m) pH requirements are contained in Rule 62-600.445, F.A.C.

(n) Pretreatment requirements (sometimes referred to as “industrial pretreatment requirements”) are contained in Chapter 62-625, F.A.C.

(o) ~~Biosolids~~Residuals (formerly referred to as “residuals” or “sludge”) management requirements are contained in Chapter 62-640, F.A.C.

(p) Secondary treatment is defined in Rule 62-600.420, F.A.C.

(q) Surface water discharge requirements are contained in Chapter 62-650, F.A.C.

(r) Surface water quality standards are contained in Chapter 62-302, F.A.C.

(s) Underground injection control requirements are contained in Chapter 62-528, F.A.C. Additional information related to domestic wastewater facilities is contained in Chapter 62-600, F.A.C.

(t) Wellhead protection requirements are contained in Chapter 62-521, F.A.C.

(u) Wetlands discharge requirements are contained in Chapter 62-611, F.A.C.

(3)(4) Forms.

(a) The forms and instructions used by the Department are listed in this rule below. The rule numbers are the same as the form numbers. ~~The forms are incorporated by reference in this rule.~~ Copies of these forms and instructions may be obtained by writing to the Wastewater Management Program Bureau of Water Facilities Regulation, Mail Station ~~3545~~ 3535, Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. In addition, these forms are available at the Department’s District Offices and from the. ~~Forms are also available on the web site page for the Department’s Division of Water Resource Management~~ at <https://floridadep.gov/water> ~~www.dep.state.fl.us/water~~. The Department adopts and incorporates by reference in this section the following forms:

1. Notice of Intent to Use General Permit for Addition of a Major User of Reclaimed Water, ~~DEP Form 62-610.300(3)(a)1.~~ ~~62-610.300(4)(a)1.~~, effective (effective date of the rule), <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, ~~January 1, 1996.~~

2. Annual Reuse Report, ~~DEP Form 62-610.300(3)(a)2.~~ ~~62-610.300(4)(a)2.~~, effective (effective date of the rule), <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, ~~March 9, 2006.~~

3. Application for Permission to Place a Public Access Reuse System in Operation, ~~DEP Form 62-610.300(3)(a)3.~~ ~~62-610.300(4)(a)3.~~, effective (effective date of the rule), <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, ~~January 1, 1996.~~

4. Pathogen Monitoring, ~~DEP Form 62-610.300(3)(a)4.~~ ~~62-610.300(4)(a)4.~~, effective (effective date of the rule), <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, ~~March 9, 2006.~~

(b) Additional forms used for domestic wastewater and reuse facilities are included in Chapter 62-620, F.A.C.

(c) Subsection ~~62-600.660(2)~~ ~~62-601.300(4)~~, F.A.C., requires domestic wastewater treatment facilities with a permitted capacity of 100,000 gpd or greater that discharge to ground waters via reuse and land application systems to annually monitor reclaimed water or effluent for the primary and secondary drinking water standards contained in Chapter 62-550, F.A.C. Except for asbestos, total coliforms, color, odor and residual disinfectants, all parameters listed as primary and secondary drinking water standards in Chapter 62-550, F.A.C., shall be monitored and reported on the Discharge Monitoring Report (DMR), Form 62-620.910(10). The DMR forms shall be electronically submitted to the Department by June 28 using the DEP Business Portal at <http://www.fldepportal.com/go/>. ~~color, and corrosivity, all parameters listed as primary and secondary drinking water standards in chapter 62-550, F.A.C., shall be monitored and reported on the DMR with submittal to the Department by June 28.~~ Approved analytical methods identified in paragraph 62-620.100(3)(j), F.A.C., shall be used for analysis. If no method is included for a parameter, methods specified in Chapter 62-550, F.A.C., shall be used.

Rulemaking Authority 403.051, 403.061, 403.064 FS. Law Implemented 403.051, 403.061(7), (13), 403.064, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.300, Amended 1-9-96, 8-8-99, 3-9-06, 11-19-07, _____.

62-610.310 Engineering Report.

(1) In accordance with the requirements and provisions of Chapters 62-600 and 62-620, F.A.C., an engineering report shall be submitted in support of permit applications for new or expanded reuse or land application projects. The engineering

report will serve as the preliminary design report for reuse and land application projects. The requirement for an engineering report for modifications of existing systems and for those existing facilities which have had past violations of permit conditions or water quality standards shall be a case-by-case determination by the Department based on the frequency and severity of past violations, the potential for adverse effects on reclaimed water quality and on surface and ground water quality, and the scope of proposed modifications.

(2) No change.

(3) The engineering report shall include the following:

(a) Land Use Requirements.

1. The exact boundaries of the reuse or land application project, with setback distances shown, shall be located on the most recent USGS topographic maps (7.5 minutes series, where available). These maps, or similar scale maps, shall show present land uses and anticipated land uses for the next 10 years within one mile of the site boundaries, based on approved Local Government Comprehensive Land Use Plans where available. The Florida Land Use Cover and Forms Classification System (paragraph 62-610.300(1)(~~d~~)(~~e~~), F.A.C.), shall be utilized in designating the character of the surrounding area.

2. through 3. No change.

4. Surface waters classified pursuant to ~~C~~chapter 62-302, F.A.C., within one mile of the project area, shall be located on the maps and shall be described, with respect to their classification, uses, and approximate distance from the site.

(b) No change.

(c) Hydrogeologic Survey.

1. Hydrogeologic data necessary to evaluate the capability of the proposed project to perform successfully at the site on a long-term basis shall be provided. A proposed ground water monitoring plan, if applicable, meeting the requirements of ~~C~~chapters 62-520 ~~62-522~~ and 62-600 ~~62-604~~, F.A.C., shall be provided. This information shall include, but not be limited to, geophysical information concerning known "solution openings" and sinkhole features within one mile of the site; the identification (with applicable geologic sections), extent or continuity, and hydrologic characterization of aquifers and confining zones underlying the site (i.e., horizontal and vertical hydraulic conductivities, porosity, thickness); head relationships between aquifer systems; and information on the annual range of ground water elevations at the proposed site.

2. through 8. No change.

9. For aquifer storage and recovery projects regulated under ~~R~~rule 62-610.466, F.A.C., and ground water recharge projects involving injection to G-II ground water, the engineering report shall characterize the total dissolved solids (TDS) concentration in ground water contained in the aquifer at the point of injection. See subsection 62-610.800(11), F.A.C. For aquifer storage and recovery projects, this shall include

characterization of TDS concentrations within the proposed extended zone of discharge, as described in subsection 62-610.466(14), F.A.C. For injection projects having a zone of discharge, as described in subsection 62-610.560(3) and ~~R~~rule 62-610.562, F.A.C., the engineering report shall include characterization of TDS concentrations at the point of injection and within the zone of discharge. The methods used to make the TDS characterization shall be described.

(d) Land Management System.

1. The present and intended soil-vegetation management program shall be discussed and the vegetative covers identified. Reclaimed water or effluents to be applied shall be characterized in terms of their physical, chemical, and biological properties. Data and other documentation to verify the uptake of nutrients (such as nitrogen and phosphorus), moisture and salt tolerances, pollutant toxicity levels, yield of crops and similar information shall be provided. For projects permitted under ~~P~~parts II, III, IV, V, and VI of ~~this~~ chapter 62-610, F.A.C., detailed water and nutrient budgets (balances) for the projects shall be included in the engineering report.

2. through 5. No change.

(e) Project Evaluation.

1. No change.

2. For projects that will have a limited wet weather discharge, the data required by ~~R~~rule 62-610.860, F.A.C., shall be included.

3. Justification and documentation for using setback distances, selection of hydraulic loading rates, loading and resting cycles, determining that the reclaimed water or effluents will not violate the standards set by ~~C~~chapters 62-600 and 62-610, F.A.C., and use of any design criteria for which flexibility is provided in this rule also shall be provided.

4. For projects regulated by ~~P~~parts III or V of ~~this~~ chapter 62-610, F.A.C., or by ~~R~~rule 62-610.525, F.A.C., an evaluation of the pretreatment program required by ~~R~~rule 62-610.330, F.A.C., shall be provided.

5. through 9. No change.

10. For projects regulated by ~~P~~part III of ~~this~~ chapter 62-610, F.A.C., a description of public notification activities required by subsections 62-610.468(2) and (6), F.A.C., shall be provided.

(f) The requirements of each section within the appropriate part of ~~this~~ chapter 62-610, F.A.C., shall be addressed in the engineering report or abbreviated engineering report. (For example, a project to be permitted as a rapid-rate land application system shall have the requirements of all sections in ~~P~~part IV of ~~this~~ chapter 62-610, F.A.C., addressed in the engineering report.)

(g) No change.

(h) Engineering report requirements specific to projects permitted under ~~P~~parts V and VII of this chapter are contained in subsections 62-610.310(4) and (5), F.A.C., respectively.

(i) Engineering report requirements specific to aquifer storage and recovery projects are contained in ~~R~~rule 62-610.466, F.A.C. Requirements for notification of public water supply authorities are described in subsection 62-610.466(16), F.A.C.

(j) Engineering report requirements specific to blending of concentrate with reclaimed water are contained in ~~R~~rule 62-610.865, F.A.C.

(4) The engineering report for projects involving ground water recharge and indirect potable reuse regulated under Part V of this chapter shall address the following:

(a) The full engineering report requirements of ~~R~~rule 62-610.310, F.A.C., shall apply.

(b) In addition, the engineering report shall address the following:

1. through 3. No change.

4. The minimum treatment and disinfection requirements imposed by ~~P~~part V of ~~this~~ chapter ~~62-610, F.A.C.~~, for the proposed uses shall be presented.

5. through 8. No change.

(5) The engineering report for projects involving industrial uses of reclaimed water permitted under ~~P~~part VII of this chapter shall address the following:

(a) through (b) No change.

(c) The minimum treatment and disinfection requirements imposed by ~~P~~part VII of ~~this~~ chapter ~~62-610, F.A.C.~~, for the industrial uses shall be presented.

(d) Any additional treatment and disinfection requirements beyond the minimum requirements imposed by ~~P~~part VII which have been agreed to by the domestic wastewater permittee and the industry shall be described.

(e) through (f) No change.

(g) Each requirement in each section of ~~P~~part VII in ~~this~~ chapter ~~62-610, F.A.C.~~, shall be discussed.

(h) Unless noted otherwise in this rule, the full requirements of ~~R~~rule 62-610.310, F.A.C., shall not be applied. The best available information shall be presented to meet the requirements of paragraphs 62-610.310(3)(a), 62-610.310(3)(e) and 62-610.310(3)(g), F.A.C.

(i) No change.

(j) If the industrial uses will be accomplished as part of a reclaimed water system permitted under ~~P~~part III of ~~this~~ chapter ~~62-610, F.A.C.~~, an abbreviated engineering report meeting the requirements of ~~R~~rule 62-610.310, F.A.C., shall be prepared for the overall ~~P~~part III project.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086,

403.087, 403.0877, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.310, Amended 1-9-96, 8-8-99, _____.

62-610.320 Operation and Maintenance Requirements and Operating Protocols.

(1) Land application systems shall be operated and maintained to achieve applicable waste treatment requirements, before final release of reclaimed water or effluent to the environment, as required in ~~this chapter, rule 62-600.530, F.A.C.~~

(a) Where all land used as part of the treatment/reuse/disposal system is under the direct control of the permittee for the useful life of the facilities, an operator shall perform the duties for which he is certified under ~~C~~chapter ~~62-602-61E12-41, F.A.C.~~ The permittee shall maintain control over, and be responsible for, all activities inherent to all reuse and land application systems (e.g., crop removal) to ensure that the entire reuse or waste treatment system operates as approved by the Department.

(b) Where the wastewater treatment plant permittee reuses reclaimed water or disposes of effluent using property owned by another party, a binding agreement between the involved parties is required to ensure that construction, operation, maintenance, and monitoring meet the requirements of ~~C~~chapters 62-600, 62-620 and 62-610, F.A.C. Such binding agreements are required for all reuse or disposal sites not owned by the permittee. The permittee shall retain primary responsibility for ensuring compliance with all requirements of the Florida Administrative Code.

(2) No change.

(3) Ground water sampling parameters, schedules, and reporting requirements (where necessary) shall be established pursuant to the provisions of ~~C~~chapter ~~62-600 62-604, F.A.C.~~ For each report on ground water quality the permittee shall verify to the Department (based on ground water elevations) the direction(s) of ground water movement from the land application site. In accordance with ~~R~~rule ~~62-520.600 62-522-600, F.A.C.~~, other information requirements shall be imposed on any facility whenever there is a change in the permitted volume, location, or composition of the discharge.

(4) No change.

(5) Operation and Maintenance Manual.

(a) An operation and maintenance manual or an addition to the treatment plant operation and maintenance manual or stand-alone instructional booklet, as appropriate, shall be published for all reuse or land application systems, in accordance with ~~R~~rules 62-600.720 and 62-620.630, F.A.C.

(b) In addition to the requirements specified in ~~C~~chapters ~~62-600 62-620 and 62-620 62-600, F.A.C.~~, the reuse/land application system operation and maintenance instructions shall provide the operator with an adequate description and schedule

of routine reclaimed water or effluent application rates and cycles involved with the system; operation procedures (including any notification and reporting requirements of appropriate agencies) during adverse climatic conditions and maintenance of equipment; schedules for harvesting and crop removal; routine maintenance required for the continued design performance of the system; ground water monitoring procedures and schedules; listings of spare parts to have on hand; and any other information essential to the operation of the system in accordance with the requirements of this chapter.
~~rule.~~

(6) Operating Protocols.

(a) No change.

(b) Operating protocols are required for the following types of projects:

1. Projects regulated under Part III of this chapter 62-610, F.A.C. See Rule 62-610.463, F.A.C.

2. Projects involving blending of concentrate with reclaimed water. See Rule 62-610.865, F.A.C. For blending projects regulated under Part III of this chapter, two operating protocols are required (one governing compliance with high-level disinfection requirements and a second governing the blending operation). In cases where two operating protocols are required, at the permittee's discretion, the two operating protocols may be combined into a single document.

3. Projects regulated under Part V of this chapter 62-610, F.A.C. See Rule 62-610.568, F.A.C.

(c) through (f) No change.

(g) Subsections 62-610.463(2) and 62-610.568(3), F.A.C., require continuous monitoring of turbidity for use in operating protocols as a means of controlling operation of treatment facilities to ensure that only acceptable quality reclaimed water is released to the reuse system or to system storage. In these cases, the Department shall allow use of other types of continuous monitoring equipment, if all of the following conditions are met:

1. through 3. No change.

4. The proposed monitoring equipment shall be calibrated according to the requirements of Chapters 62-160 and 62-600 62-604, F.A.C.

5. through 6. No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061(7), 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.320, Amended 1-9-96, 8-8-99, 3-9-06, ____.

62-610.330 Pretreatment Programs.

(1) A pretreatment program shall be developed and implemented, in accordance with Chapter 62-625, F.A.C., for reuse projects regulated under Parts III or V of this chapter 62-610, F.A.C., or under Rule 62-610.525, F.A.C., if the

wastewater facility receives discharges from significant industrial users, as defined in Rule 62-625.200, F.A.C. Pretreatment program requirements apply only to public utilities, as defined in Rule 62-625.200, F.A.C.

(2) A pretreatment program shall not be required for Part III or V reuse projects, if the applicant indicates on Department Form 62-620.910(2) that the wastewater facility has no significant industrial users, as defined in Rule 62-625.200, F.A.C., and that no significant industrial users are anticipated during the next five-year permit period. To continue the pretreatment program exemption, subsequent permit renewal applications must demonstrate that the wastewater facility continues to have no significant industrial users and none are anticipated during the next five-year permit period.

(3) Within 60 days of learning of the intent of a significant industrial user, as defined in Rule 62-625.200, F.A.C., to discharge to a wastewater facility permitted under Parts III or V of this chapter 62-610, F.A.C., the permittee shall provide written notification of the proposed discharge to the Department. Upon concurrence by the Department that the proposed discharger meets the definition of significant industrial user, the Department shall include conditions for development and implementation of a pretreatment program in the permit in accordance with Rule 62-625.500, F.A.C. The permit revision shall be deemed a minor revision subject to the procedure in Rule 62-620.330, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.330, Amended 1-9-96, 8-8-99, ____.

PART II SLOW-RATE LAND APPLICATION SYSTEMS;
RESTRICTED PUBLIC ACCESS

62-610.412 Monitoring of Reclaimed Water and Ground Water.

(1) No change.

(2) Ground water monitoring.

(a) A ground water monitoring program shall be established by the permittee and approved by the Department, pursuant to Chapter 62-600 62-604, and Rule 62-520.600 62-522-600, F.A.C., (unless otherwise exempted).

(b) The manual referenced in paragraph 62-610.300(1)(b) 62-610.300(1)(d), F.A.C., contains general technical guidance regarding the design and construction of monitoring wells and ground water sampling procedures. Ground water test wells resulting from hydrogeologic exploratory programs, background water quality determinations or other requirements shall be approved by the Department for use as part of the compliance monitoring well system if the permittee provides reasonable assurances in the engineering report and ground water monitoring plan that the well meets the requirements of

~~Rule 62-520.600~~ ~~62-522.600~~, F.A.C., and that the well construction is such that migration of fluids from the surface to subsurface formations or between subsurface formations will not occur.

(c) Ground water sampling parameters for monitoring background and receiving water quality will be established by the Department based upon the quality of reclaimed water to be discharged, site specific soil and hydrogeologic characteristics, and other considerations, in accordance with ~~Chapter 62-600~~ ~~62-604~~, and ~~Rule 62-520.600~~ ~~62-522.600~~, F.A.C. Water levels shall be recorded before evacuating wells for sample collection. Elevation references shall include the top of the well casing and land surface at each well site (NGVD allowable) at a precision of plus or minus ~~0.010-1~~ foot.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.412, Amended 1-9-96,_____.

62-610.414 Storage Requirements.

(1) System storage ponds as described herein shall not be required where it is documented in the engineering report that an alternative system (e.g., permitted surface water discharge, deep wells) is incorporated into the system design to ensure continuous facility operation in accordance with the requirements of ~~Chapter 62-600~~, F.A.C. If system storage is not required, provision of flow equalization or storage shall be evaluated in the engineering report to ensure that reclaimed water flows will match the demand pattern during a diurnal cycle.

(2) through (4) No change.

(5) System storage ponds may be unlined if designed to provide both storage and percolation functions. When designed for percolation such ponds are subject to the provisions of ~~Part IV of this chapter rule~~. System storage ponds may be unlined if high-level disinfection is provided.

(6) through (9) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.414, Amended 1-9-96,_____.

62-610.417 Surface Runoff Control and Subsurface Drainage.

(1) through (2) No change.

(3) If a subsurface drain system is necessary to prevent the water table from rising into the plant root zone, the system shall be designed in accordance with appropriate portions of paragraph ~~62-610.300(1)(c)~~ ~~62-610.300(1)(f)~~, F.A.C., concerning Natural Resources Conservation Service criteria for subsurface drains. The drainage system shall be designed so that the water table is drawn down generally to provide for 36

inches of unsaturated soil thickness during the time when irrigation is not practiced; unsaturated thicknesses less than this value shall be approved only when justified in the engineering report on the basis of renovating and agronomic aspects of the soil-plant system. The requirements of subsection 62-610.850(1), F.A.C., shall apply to discharges to surface waters from the drainage system.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.417, Amended 1-9-96,_____.

62-610.418 Access Control and Advisory Signs.

(1) No change.

(2) The permittee may allow public access to the land application site if a subsurface application system is used. Subsurface application systems may be used to irrigate residential properties, if the requirements of ~~Part II of this chapter 62-610, F.A.C.~~ are met.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.418, Amended 1-9-96,_____.

62-610.419 Application/Distribution Systems and Cross-Connection Control.

(1) No change.

(2) Subsurface application systems may be used if the reclaimed water is made available to the plant root zone and the hydraulic loading rates and cycles comply with ~~Rule 62-610.423~~, F.A.C.

(3) No cross-connections to potable water systems shall be allowed. For systems permitted under subsection 62-610.418(2), F.A.C., the permittee shall develop and obtain Department acceptance for a cross-connection control and inspection program as discussed in ~~Rules 62-610.469 and 62-555.360~~, F.A.C.

(4) For all systems, there shall be readily identifiable “non-potable” notices, marking, or coding on application/distribution facilities and appurtenance.

Rulemaking Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.419, Amended 1-9-96, 11-19-07,_____.

62-610.421 Setback Distances.

(1) through (2) No change.

(3) A 500-foot setback distance shall be provided from the edge of the wetted area to potable water supply wells that are existing or have been approved by the Department or by the Department of Health (but not yet constructed); Class I surface waters; or Class II surface waters. This distance shall be reduced to 200 feet if facility Class I reliability is provided in

accordance with subsection 62-610.462(1), F.A.C. This distance shall be reduced to 100 feet if facility Class I reliability is provided in accordance with subsection 62-610.462(1), F.A.C., and if high-level disinfection is provided. Reductions in the 500-foot setback distance to potable water wells, as described in ~~R~~ule 62-521.200, F.A.C., shall not be allowed. Setback distance requirements apply to all Class II waters, regardless of Department classification (such as open, closed, approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified).

(4) through (12) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.421, Amended 1-9-96, 8-8-99,_____.

**PART III SLOW-RATE LAND APPLICATION SYSTEMS;
PUBLIC ACCESS AREAS,
RESIDENTIAL IRRIGATION, AND EDIBLE CROPS**

62-610.450 Description of System.

(1) No change.

(2) Public access also may be provided to sites irrigated using subsurface application systems as described and regulated by ~~P~~part II of this chapter ~~62-610, F.A.C.~~ Subsurface application projects regulated by Part II are not subject to the requirements of ~~P~~part III of this chapter ~~62-610, F.A.C.~~

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.450, Amended 1-9-96,_____.

62-610.451 Minimum System Size.

(1) Except as provided in subsection 62-610.451(2), F.A.C., no treatment facility with a design average daily flow of less than 0.1 mgd shall have the produced reclaimed water made available for reuse activities covered by ~~P~~part III (~~R~~ules 62-610.450 through 62-610.491, F.A.C.;) of this chapter.

(2) through (3) No change.

Rulemaking Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.451, Amended 1-9-96, 11-19-07,_____.

62-610.460 Waste Treatment and Disinfection.

(1) Preapplication waste treatment shall result in a reclaimed water that meets, at a minimum, secondary treatment and high-level disinfection. The reclaimed water shall not contain more than 5.0 milligrams per liter (mg/L) of suspended solids before the application of the disinfectant.

(2) An operating protocol as described in ~~R~~ules 62-610.320 and 62-610.463, F.A.C., shall be developed and implemented.

(3) Filtration shall be provided for TSS control. Chemical feed facilities for coagulant, coagulant aids, or polyelectrolytes shall be provided. Such chemical feed facilities may be idle if the TSS limitation is being achieved without chemical addition. Filtration is an important component of a wastewater treatment facility that provides reclaimed water for the types of activities allowed by ~~P~~part III of this chapter ~~62-610, F.A.C.~~ By removing TSS before disinfection, filtration serves to increase the ability of the disinfection process to inactivate virus and other pathogens. Filtration also serves as the primary barrier for removal of protozoan pathogens (Cryptosporidium, Giardia, and others). Addition of chemical coagulants generally increases the effectiveness of pathogen removal.

(4) A pretreatment program shall be prepared and implemented in accordance with ~~R~~ule 62-610.330, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.460, Amended 1-9-96, 8-8-99,_____.

62-610.462 Reliability and Operator Staffing.

(1) The following reliability requirements shall apply. Facility reliability shall have a minimum Class I reliability as described in paragraph ~~62-610.300(1)(a)~~ ~~62-610.300(1)(c)~~, F.A.C. The Department shall approve alternative levels of treatment facility reliability if the permittee provides reasonable assurances in the engineering report that the facility will provide a level of reliability equivalent to Class I reliability. Class I reliability shall not be required if a permitted alternate treatment or discharge system exists which has sufficient capacity to handle any reclaimed water flows which do not meet the performance criteria established in the operating protocol.

(a) Multiple aeration basins shall not be required for an oxidation ditch facility to comply with Class I reliability requirements, if the following conditions are met:

1. The construction permit application was approved by the Department on or before April 5, 1989,

2. through 3. No change.

(2) Except as provided in subsection 62-610.462(3) and ~~(4)~~, F.A.C., the wastewater treatment facility shall be staffed by a Class C or higher operator 24 hours per day, 7 days per week. The lead/chief operator shall be at minimum Class B, or higher if required by ~~C~~hapter 62-699, F.A.C.

(3) The minimum staffing requirement at the wastewater treatment facility shall be reduced to staffing by a Class C or higher operator 6 hours per day, 7 days per week, unless ~~C~~hapter 62-699, F.A.C., requires additional operator presence or a higher level of operator. The lead/chief operator shall be at minimum Class C, or higher if required by ~~C~~hapter 62-699, F.A.C. This minimum staffing requirement shall be allowed only in conjunction with at least one of the following.

(a) through (b) No change.

(4) If the facility does not send reclaimed water to the public access reuse system on one or both weekend days, the 7 day per week staffing requirement in subsection 62-610.462(3), F.A.C., shall be reduced to 6 hours per day on each day reclaimed water is sent to the public access reuse system. On weekend days when reclaimed water is diverted to an alternative reuse or disposal system, a daily visit shall be required.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.462, Amended 1-9-96, 8-8-99,_____.

62-610.463 Monitoring and Operating Protocol.

(1) No change.

(2) The treatment facility shall include continuous on-line monitoring for turbidity before application of the disinfectant. Continuous on-line monitoring of total residual chlorine residual or for residual concentrations of other disinfectants, if used, shall be provided at the compliance monitoring point. Instruments for continuous on-line monitoring of turbidity and disinfectant residuals shall be equipped with an automated data logging or recording device. Continuous on-line monitoring instruments shall be calibrated according to the requirements of Chapters 62-160 and 62-600 62-601, F.A.C. Continuous on-line monitoring instruments shall be maintained according to the manufacturer's operation and maintenance instructions. In accordance with Rule 62-610.320, F.A.C., the permittee shall develop, and the Department shall approve, an operating protocol designed to ensure that the high-level disinfection criteria will be met before the reclaimed water is released to the system storage or to the reclaimed water reuse system. The operating protocol shall be reviewed and updated as required in Rule 62-610.320, F.A.C. Reclaimed water produced at the treatment facility that fails to meet the criteria established in the operating protocol shall not be discharged into system storage or to the reuse system. Such substandard reclaimed water (reject water) shall be either stored for subsequent additional treatment or shall be discharged to another permitted reuse system requiring lower levels of preapplication treatment or to a permitted effluent disposal system.

(3) Ground water monitoring.

(a) Monitoring of ground water requirements shall be as contained in Chapters 62-520 62-601 and 62-600 62-522, F.A.C.

(b) No change.

(4) Monitoring for Giardia and Cryptosporidium.

(a) For treatment plants having capacities of 1.0 mgd or larger, the permittee shall sample the reclaimed water for Cryptosporidium and Giardia as follows:

1. Sampling shall be conducted at one time during each two-year period. Intervals between sampling shall not be

greater than two years. The sample results shall be submitted to the Department on or before November 28 of each even numbered year using Form 62-610.300(3)(a)4.

2. No change.

(b) For treatment plants having capacities less than 1.0 mgd, the permittee shall sample the reclaimed water for Cryptosporidium and Giardia as follows:

1. Sampling shall be conducted at one time during each five-year period. Intervals between sampling shall not be greater than five years. The sample results shall be submitted to the Department on or before November 28 of that year using Form 62-610.300(3)(a)4.

2. No change.

(c) Samples shall be taken during peak flow periods between the months of August and October.

(d) If the wastewater treatment facility uses chlorination for disinfection, samples collected for analysis of Giardia and Cryptosporidium shall be dechlorinated.

(e) A grab sample for TSS shall be taken such that it is representative of the water leaving the filters at the treatment facility during the period when pathogen samples are being obtained. This TSS sample shall be taken during the period when pathogen samples are collected. In addition, the permittee shall record the lowest total residual chlorine observed during the period when pathogen samples are collected.

(f) EPA Method 1623 or other approved methods for reclaimed water or nonpotable waters, adjusted appropriately to accommodate the detection limit requirements, shall be used. Methods previously allowed for EPA's Information Collection Rule (ICR) shall not be used. The full requirements of the approved method, including quality assurance and quality control, are to be met. Quality assurance and sampling requirements of Chapter 62-160, F.A.C., shall apply.

Two concentrations of Giardia and Cryptosporidium shall be recorded on Part III of Form 62-610.300(3)(a)4.

1. Total cysts and oocysts shall be enumerated using EPA Method 1623 or other approved methods.

2. Potentially viable cysts and oocysts shall be enumerated using the DAPI staining technique contained in EPA Method 1623 or similar enumeration techniques included in other approved methods. Cysts and oocysts that are stained DAPI positive or show internal structure by D.I.C. shall be considered as being potentially viable. If the laboratory reports separate values for DAPI positive and for cysts or oocysts having internal structure, the larger of the two concentrations will be reported as being potentially viable.

(g) If the number of potentially viable cysts of Giardia reported exceeds 5 per 100 liters or oocysts of Cryptosporidium reported exceeds 22 per 100 liters, a subsequent sample shall be taken and analyzed using EPA Method 1623 or other approved methods. This subsequent sample shall be collected within 90

days of the date the initial sample was taken, analyzed for both Giardia and Cryptosporidium, and the results of the subsequent analysis shall be submitted to the Department within 60 days of sample collection using Form 62-610.300(3)(a)(4).

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.463, Amended 1-9-96, 8-8-99,_____.

62-610.464 Storage Requirements.

(1) System storage shall not be required where another permitted reuse system or effluent disposal system is incorporated into the system design to ensure continuous facility operation in accordance with the requirements of Chapter 62-600, F.A.C. If system storage is not required, provision of flow equalization or storage should be evaluated in the engineering report to ensure that reclaimed water flows will match the demand pattern during a diurnal cycle.

(2) Unless exempted by subsection 62-610.464(1), F.A.C., system storage ponds shall have capacities determined as follows.

~~(a)~~ Requirements for system storage pond capacity shall be as contained in Rule 62-610.414, F.A.C., for restricted access slow-rate land application systems. System storage or a limited wet weather discharge authorization shall be required for wet weather conditions. At a minimum, system storage capacity shall be the volume equal to three times that portion of the average daily flow of the total reuse capacity for which no alternative reuse or disposal system is permitted.

(3) In addition, a separate, off-line system for storage of reject water shall be provided, unless another permitted reuse system or effluent disposal system is capable of discharging the reject water in accordance with requirements of Chapter 62-600, F.A.C. Reject water storage shall have sufficient capacity to ensure the retention of reclaimed water of unacceptable quality. At a minimum, this capacity shall be the volume equal to one day flow at the average daily design flow of the treatment plant or the average daily permitted flow of the reuse system, whichever is less. Provisions for recirculating this reject water to other parts of the treatment plant for further treatment shall be incorporated into the design.

(4) Requirements for system storage and reject water holding ponds shall be as contained in Rule 62-610.414, F.A.C., except for the following:

(a) through (c) No change.

(5) The permittee shall maintain an inventory of storage systems. The inventory shall be submitted to the Department at least 30 days before reclaimed water will be introduced into any new storage systems. ~~The inventory shall be submitted annually to the Department with the annual reuse report required by subsection 62-610.870(3), F.A.C.~~ The inventory shall include the following:

(a) through (f) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.464, Amended 1-9-96, 8-8-99,_____.

62-610.466 Aquifer Storage and Recovery (ASR).

(1) No change.

(2) ASR Aquifer storage and recovery can be an effective and environmentally sound approach to provision of storage for reclaimed water for reuse systems regulated under Part III of this chapter 62-610, F.A.C. ASR Aquifer storage and recovery by itself does not constitute “reuse.” It is only when reclaimed water, which has been stored in an aquifer, is recovered and used for beneficial purposes that the reclaimed water is considered to be “reused.” ASR Aquifer storage and recovery systems are considered components of the overall reuse system.

(3) ASR Aquifer storage and recovery systems shall meet the technical and permitting requirements of the Department’s underground injection control program which are contained in Chapter 62-528, F.A.C., and shall obtain an underground injection control construction and operation permit, as appropriate, in addition to any permits required under Chapters 62-610 and 62-620, F.A.C.

(4) In the engineering report submitted with the initial application to implement an ASR Aquifer storage and recovery system, the applicant shall provide an evaluation of the anticipated changes in the characteristics of the reclaimed water during the injection, storage, and recovery phases. In the engineering report, the applicant shall evaluate the need for additional treatment or disinfection upon recovery before introduction of the recovered water into system storage or the reuse system. The engineering report shall include an initial characterization of the ground water at the point of injection. The ground water characterization shall include analyses for all parameters for which ground water quality standards have been established in Chapter 62-520, F.A.C., and for fecal coliforms. The characterization of TDS at the point of injection is discussed in subparagraph 62-610.310(3)(c)9. and subsection 62-610.800(11), F.A.C.

(5) The water recovered from the aquifer storage and recovery system shall meet the performance standards for fecal coliforms as specified for high-level disinfection before use in a reuse system regulated under Part III of this chapter.

(6) No change.

(7) Use of Class G-IV ground water.

(a) Wells may be used to inject reclaimed water into Class G-IV ground water for ASR Aquifer storage and recovery if all of the following conditions in either subparagraph 1. or 2. are met:

1. Wells may be used to inject reclaimed water into Class G-IV ground water for ~~ASR Aquifer storage and recovery~~ if all of the following conditions are met:

a. The reclaimed water meets all the preapplication treatment and disinfection criteria established in ~~Part III of this chapter 62-610, F.A.C.~~, before injection.

b. Technical and permitting requirements in ~~Chapter 62-528, F.A.C.~~, are met.

2. Wells may be used to inject effluent into Class G-IV ground water for ~~ASR Aquifer storage and recovery~~ if all of the following conditions are met:

a. No change.

b. Technical and permitting requirements in ~~Chapter 62-528, F.A.C.~~, are met.

c. The treatment and disinfection requirements in ~~Part III of this chapter 62-610, F.A.C.~~, shall be met upon recovery of the water. Treatment and disinfection upon recovery shall include filtration and chemical feed facilities, as described in ~~Rule 62-610.460, F.A.C.~~, high-level disinfection, Class I reliability, operator attendance and staffing, operating protocol, reject storage, and monitoring requirements.

(8) Use of Class G-I or F-I ground water.

(a) Wells may be used to inject reclaimed water into Class G-I or F-I ground water for ~~ASR Aquifer storage and recovery~~ if all of the following requirements are met:

1. The reclaimed water meets the full treatment and disinfection criteria established in ~~Rule 62-610.563, F.A.C.~~, for ground water recharge projects.

2. Technical and permitting requirements in ~~Chapter 62-528, F.A.C.~~, are met.

(b) No change.

(9) Use of Class G-II ground water containing 3000 mg/L or less of total dissolved solids.

(a) Wells may be used to inject reclaimed water into Class G-II ground water containing 3000 mg/L or less of total dissolved solids for ~~ASR Aquifer storage and recovery~~ if all of the following conditions are met:

1. The reclaimed water meets the full treatment and disinfection criteria established in ~~Rule 62-610.563, F.A.C.~~, for ground water recharge projects.

2. Technical and permitting requirements in ~~Chapter 62-528, F.A.C.~~, are met.

(b) If the applicant provides an affirmative demonstration that the receiving ground water contains between 1,000 and 3,000 mg/L (inclusive) of total dissolved solids, is not currently used as a source of public water supply, and that the receiving ground water is not reasonably expected to be used for public water supply in the future, the preapplication treatment and disinfection requirements shall be as follows:

1. The principal treatment and disinfection requirements in ~~Rule 62-610.563, F.A.C.~~, shall apply, with the following modifications:

a. No change.

b. The secondary drinking water standards shall not be applied as reclaimed water limitations. As described in paragraph 62-610.466(14)(a), F.A.C., the ground water standard for sodium shall be met at the edge of the zone of discharge. As described in paragraph 62-610.466(14)(f), F.A.C., ~~the ground water standard for sodium and the ground water standards corresponding to the secondary drinking water standards shall be met at the edge of the extended zone of discharge.~~

c. No change.

d. The extended zone of discharge shall not extend into zones having TDS concentrations less than 1000 mg/L (based on the initial TDS characterization in the engineering report and subsequent information).

(c) through (d) No change.

(10) Use of Class G-II ground water containing greater than 3000 mg/L of total dissolved solids.

(a) Wells may be used to inject reclaimed water into Class G-II ground water containing greater than 3000 mg/L of total dissolved solids for ~~ASR aquifer storage and recovery~~ if all of the following conditions are met:

1. The principal treatment and disinfection requirements in ~~Rule 62-610.563, F.A.C.~~, shall apply, with the following modifications:

a. through c. No change.

d. The extended zone of discharge shall not extend into zones having TDS concentrations less than 3000 mg/L (based on the initial TDS characterization in the engineering report and subsequent information).

2. Technical and permitting requirements in ~~Chapter 62-528, F.A.C.~~, are met.

(b) No change.

(11) If an aquifer exemption pursuant to subsection 62-528.300(3), F.A.C., or a parameter exemption pursuant to ~~Rule 62-520.500, F.A.C.~~, has been obtained, the Department shall modify the discharge limitations in the permit to reflect the terms of the exemption.

(12) Monitoring.

(a) Reclaimed water shall be monitored before injection in accordance with the requirements of ~~Chapter 62-600-62-604, F.A.C.~~

(b) Water recovered from the ~~ASR Aquifer storage and recovery~~ system.

1. Except as provided in subparagraphs 62-610.466(12)(b)2. and 3., F.A.C., the reclaimed water recovered from the ~~ASR Aquifer storage and recovery~~ system shall be monitored for TSS, and fecal coliforms at the same frequency

specified in ~~Chapter 62-600~~ ~~62-601~~, F.A.C., for the treatment facility providing reclaimed water to the reuse system. CBOD5 shall be monitored monthly. If the reclaimed water withdrawn from an ~~ASR Aquifer storage and recovery~~ system fails to meet the CBOD5, TSS, or fecal coliform limits established for a reuse project regulated under ~~Part III of this chapter 62-610, F.A.C.~~, the Department shall require that additional treatment or disinfection facilities be provided to ensure compliance with these limits. If the CBOD5 limits are not met, the Department shall increase the sampling frequency for CBOD5 to the level required in ~~Chapter 62-600-62-601~~, F.A.C.

2. If the reclaimed water injected into the ~~ASR Aquifer storage and recovery~~ system meets the full treatment and disinfection requirements in ~~Rule 62-610.563~~, F.A.C., fecal coliforms shall be monitored monthly in the water recovered from the ~~ASR Aquifer storage and recovery~~ system.

3. If additional treatment or disinfection is provided after recovery of the water from the ~~ASR Aquifer storage and recovery~~ system, the monitoring requirements in ~~Rule 62-610.463~~, F.A.C., shall apply and an operating protocol shall be implemented pursuant to ~~Rule 62-610.463~~, F.A.C.

(c) ~~ASR aquifer storage and recovery~~ system.

1. A ground water monitoring plan pursuant to ~~Rule 62-520.600~~ ~~62-522.600~~, F.A.C., shall be implemented before placing the ~~ASR Aquifer storage and recovery~~ system into operation. The monitoring plan shall be designed to verify compliance with the ground water standards and to monitor the performance of the ~~ASR Aquifer storage and recovery~~ system. As part of this monitoring plan, the permittee shall monitor a measure of inorganics concentration (such as chloride or TDS) and specific conductance for the water being injected, ground water, and the recovered water.

2. No change.

(d) No change.

(13) No change.

(14) Extended zone of discharge.

(a) Projects described in paragraph 62-610.466(9)(b), and subsection (10), F.A.C., ~~may shall~~ have an extended zone of discharge included in the permit. The extended zone of discharge shall only apply to parameters listed as secondary drinking water standards in ~~Chapter 62-550~~, F.A.C. ~~and for sodium~~. Zones of discharge will not be provided for parameters listed as primary drinking water standards in ~~Chapter 62-550~~, F.A.C. (except for sodium).

(b) ~~A zone of discharge under this rule shall not be allowed for projects featuring injection that causes or allows movement of fluid into or between underground sources of drinking water which may adversely affect the health of persons. Except as provided in paragraph 62-610.466(14)(a), F.A.C., zones of discharge will not be allowed for projects featuring injection~~

~~into other Class G-II ground waters or into Class G-I, F-I, or G-IV ground waters.~~

(c) ~~The~~ extended zone of discharge will extend radially to the permittee's property line. This may be greater than the 100 feet normally allowed for a zone of discharge in ~~Rule 62-520.465~~ ~~62-522.410~~, F.A.C. The applicant may request an extended zone of discharge that extends beyond the property boundary, if the conditions and procedures in paragraphs ~~62-520.470(3)(d) and (e)~~ ~~62-522.500(3)(d), and (e)~~, F.A.C., are met. The applicant may request an extended zone of discharge beyond the property line at the time of initial permit application or with subsequent permit renewals or permit modifications.

(d) No change.

(e) The extended zone of discharge shall extend vertically from the base to the top of a specifically designated aquifer, aquifers, or portion of an aquifer. The vertical and lateral limits of the extended zone of discharge shall be designated. Injection and recovery wells used in the ~~ASR Aquifer storage and recovery~~ system shall be included within the extended zone of discharge. As noted in sub-subparagraphs 62-610.466(9)(b)1.d., and 62-610.466(10)(a)1.d., F.A.C., the extended zone of discharge shall not extend into zones having TDS concentrations less than the specified threshold (based on the initial TDS characterization in the engineering report ~~and subsequent information~~).

(f) No change.

(15) No change.

(16) Applicants proposing ~~ASR Aquifer storage and recovery~~ systems using Class F-I, G-I, or G-II ground water shall comply with the public and utility notification requirements contained in ~~Rule 62-610.574~~, F.A.C.

(17) The permittee shall assess the performance of the ~~ASR Aquifer storage and recovery~~ system on a monthly basis.

(a) through (b) No change.

(c) Nothing in subsection 62-610.466(17), F.A.C., shall preclude the Department from taking enforcement action to compel compliance with the requirements of Rule 62-610.466, F.A.C., the requirements of ~~Part III of this chapter 62-610, F.A.C.~~, or the ground water standards contained in ~~Chapter 62-520~~, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 8-8-99,_____.

62-610.469 Application/Distribution Systems and Cross-Connection Control.

(1) through (4) No change.

(5) Reclaimed water may be used to irrigate landscaped areas with a tank truck only if the following requirements are met:

(a) All applicable requirements in ~~Part III of this chapter 62-610, F.A.C.~~, are met;

(b) No change.

(c) The truck used to transport and distribute reclaimed water is not used to transport waters or other fluids that do not meet, at a minimum, the requirements of ~~Part III of this chapter 62-610, F.A.C.~~, unless the tank has been evacuated and properly cleaned prior to the addition of the reclaimed water.

(6) No change.

(7) Cross-connection control.

(a) No cross-connections to potable water systems shall be allowed. The permittee shall submit documentation of Department acceptance for a cross-connection control and inspection program, pursuant to Rule 62-555.360, F.A.C., for all public water supply systems located within the area to be served by reclaimed water.

(b) Reclaimed water shall not enter a dwelling unit or a building containing a dwelling unit except as allowed by Rules 62-610.476 and paragraph 62-610.480(2)(i) 62-610.479, F.A.C.

(c) No change.

(d) The provisions of Chapter 62-604, F.A.C., are applicable to in-ground crossings. No vertical or horizontal separation distances are required for above-ground crossings.

(e) through (h) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.469, Amended 1-9-96, 8-8-99, ____.

62-610.471 Setback Distances.

(1) through (10) No change.

(11) For ASR Aquifer storage and recovery projects regulated under Rule 62-610.466, F.A.C., setback distance requirements for injection and recovery wells and for extended zones of discharge are contained in subsections 62-610.466(13) and (14), F.A.C.

Rulemaking Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.471, Amended 1-9-96, 8-8-99, 11-19-07, ____.

62-610.472 Supplemental Water Supplies.

(1) through (2) No change.

(3) Surface water and stormwater supplies.

(a) Surface water supplies may be used to supplement the reclaimed water supply, if all of the following conditions are met:

1. through 2. No change.

3. A one-way flow device shall be provided on each surface water or stormwater supply line to prevent backflow of reclaimed water into the surface water or into the stormwater treatment facilities. This does not have to be an approved device

as listed in Rule 62-555.360, F.A.C. A check valve, flap valve, or other device may be used.

4. Continuous monitoring for disinfectant residual shall be performed on the disinfected surface water or stormwater supply at a point before mixing with the reclaimed water. Fecal coliforms and TSS shall be monitored at this point in accordance with the schedule established in Chapter 62-600 62-604, F.A.C., for high-level disinfection facilities, based on the permitted capacity of the largest domestic wastewater treatment facility providing reclaimed water to the reuse system.

5. No change.

(b) Subparagraphs 62-610.472(3)(a)1. through 5., F.A.C., shall apply to situations involving the introduction of stormwater or surface water directly into a reclaimed water distribution system. Cases involving storage of reclaimed water in lakes and ponds which are part of a stormwater management system are described in, and regulated by, Rules 62-610.464 and 62-610.830, F.A.C., and are not subject to Rule 62-610.472, F.A.C., shall not apply to system storage and reclaimed water distribution facilities that are on the property of and are operated by the user of reclaimed water (such as a golf course or farm).

(c) Stormwater may be introduced into the sanitary sewerage system to augment the supply of reclaimed water, if all of the following conditions are met:

1. The resulting mixture of stormwater and domestic wastewater receives the full level of treatment and disinfection required by Part III of this chapter 62-610, F.A.C.

2. through 3. No change.

(d) Monitoring for Giardia and Cryptosporidium.

1. For treatment plants having capacities of 1.0 mgd or larger, the permittee shall sample the reclaimed water for Cryptosporidium and Giardia as follows:

a. Sampling shall be conducted at one time during each two-year period. Intervals between sampling shall not be greater than two years. The sample results shall be submitted to the Department on or before November 28 of each even numbered year using Form 62-610.300(3)(a)4.

b. No change.

2. For treatment plants having capacities less than 1.0 mgd, the permittee shall sample the reclaimed water for Cryptosporidium and Giardia as follows:

a. Sampling shall be conducted at one time during each five-year period. Intervals between sampling shall not be greater than five years. The sample results shall be submitted to the Department on or before November 28 of that year using Form 62-610.300(3)(a)4.

b. No change.

3. Samples shall be taken during peak flow periods between the months of August and October.

4. If the wastewater treatment facility uses chlorination for disinfection, samples collected for analysis of Giardia and Cryptosporidium shall be dechlorinated.

5. A grab sample of TSS that is representative of the surface water or treated stormwater as it is added to the reclaimed water system shall be taken during the period when pathogen samples are collected. In addition, record the lowest total residual chlorine observed during the period when pathogen samples are collected.

6. EPA Method 1623 or other approved methods for reclaimed water or nonpotable waters, adjusted appropriately to accommodate the detection limit requirements, shall be used. Methods previously allowed for EPA's ICR shall not be used. The full requirements of the approved method, including quality assurance and quality control, are to be met. Quality assurance and sampling requirements in Chapter 62-160, F.A.C., shall apply.

Two concentrations of Giardia and Cryptosporidium shall be recorded in Part III of Form 62-610.300(3)(a)4.

1. Total cysts and oocysts shall be enumerated using EPA Method 1623 or other approved methods.

2. Potentially viable cysts and oocysts shall be enumerated using the DAPI staining technique contained in EPA Method 1623 or similar enumeration techniques included in other approved methods. Cysts and oocysts that are stained DAPI positive or show internal structure by D.I.C. shall be considered as being potentially viable. If the laboratory reports separate values for DAPI positive and for cysts or oocysts having internal structure, the larger of the two concentrations will be reported as being potentially viable.

7. If the number of potentially viable cysts of Giardia reported exceeds 5 per 100 liters or oocysts of Cryptosporidium reported exceeds 22 per 100 liters, a subsequent sample shall be taken and analyzed using EPA Method 1623 or other approved methods. This subsequent sample shall be collected within 90 days of the date the initial sample was taken, analyzed for both Giardia and Cryptosporidium, and the results of the subsequent analysis shall be submitted to the Department within 60 days of sample collection using Form 62-610.300(3)(a)4.

(4) Ground water supplies.

(a) Ground water supplies may be used to supplement the reclaimed water supply, if all of the following conditions are met:

1. The applicant shall provide an affirmative demonstration that the quality of the resulting mixture of reclaimed water and ground water will be acceptable for the permitted uses of the reclaimed water within the reclaimed water distribution system. This shall include an evaluation of the factors contained in subparagraph 62-610.472(3)(a)2., F.A.C. This shall include an analysis of the ground water source for all of the parameters

included in the ground water quality standards listed in Chapter 62-520, F.A.C.

2. An approved backflow prevention device, as described in Rule 62-555.360, F.A.C., shall be provided on the pipe from each well connected into the reclaimed water system.

3. through 4. No change.

(b) If the initial analysis of the ground water supply reveals that the ground water supply does not meet ground water quality standards in Chapter 62-520, F.A.C., the parameters for which the ground water standards are not met shall be added to the quarterly monitoring of the ground water supply.

(c) No change

(5) Drinking water supplies. Drinking water from a public water supply system may be used to supplement the reclaimed water supply, if all of the following conditions are met:

(a) An air gap separation, as described in Rule 62-555.360, F.A.C., shall be provided on each connection from the public water supply system into the reclaimed water system.

(b) through (d) No change.

(6) through (7) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 8-8-99,_____.

62-610.473 Hydraulic Loading Rates.

Loading rates generally shall be as specified in Rule 62-610.423, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.473,_____.

62-610.475 Edible Crops at Commercial Agricultural Operations.

(1) through (4) No change.

(5) The permittee shall maintain an inventory of commercial agricultural operations using reclaimed water to irrigate edible crops. An initial and updated ~~The~~ inventory of edible crop irrigation shall be submitted to the Department at least 30 days before any agricultural operation which will use reclaimed water for irrigation of edible crops will be added to the reused system. The inventory of edible crop irrigation shall be submitted ~~annually~~ to the Department with the annual reuse ~~report of reclaimed water utilization~~ required by subsection 62-610.870(3), F.A.C. The inventory of edible crop irrigation shall include the following:

(a) through (f) No change.

(6) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 9-13-89, Formerly 17-610.475, Amended 1-9-96, 8-8-99,_____.

62-610.476 Toilet Flushing and Fire Protection.

(1) Toilet flushing.

(a) No change.

(b) If reclaimed water will be used only for toilet flushing, the Department shall approve alternative levels of reliability, operation controls, and operator attendance if the applicant provides an affirmative demonstration in the engineering report that alternative controls will provide controls on reclaimed water production equivalent to the full requirements of ~~P~~part III of this chapter ~~62-610, F.A.C.~~, and the engineering report presents reasonable assurances that public health will be protected. The engineering report shall document cross-connection control measures and controls on facility operation sufficient to ensure reliable production of reclaimed water of suitable quality.

(2) Fire protection.

(a) through (c) No change.

(d) If reclaimed water will be used only for fire protection, the Department shall approve alternative levels of reliability, operation controls, and operator attendance if the applicant provides an affirmative demonstration in the engineering report that alternative controls will provide controls on reclaimed water production equivalent to the full requirements of ~~P~~part III of this chapter ~~62-610, F.A.C.~~, and the engineering report presents reasonable assurances that public health will be protected. The engineering report shall document cross-connection control measures and controls on facility operation sufficient to ensure reliable production of reclaimed water of suitable quality.

Rulemaking Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.476, Amended 1-9-96,_____.

62-610.480 Other Reuse Applications.

(1) The Department shall approve other uses and resultant discharges of reclaimed water if the following requirements are met:

(a) All requirements of ~~P~~part III of this chapter ~~62-610, F.A.C.~~, are met; and,

(b) The engineering report provides reasonable assurance that the intended use will meet applicable rules of the Department and will protect the public health.

(2) Additional uses which are approved include the following provided resultant discharges meet applicable rules of the Department and will protect the public health:

(a) Water supply for commercial laundries;:-

(b) Vehicle washing;:-

(c) Flushing of sanitary sewers and reclaimed water lines;:-

(d) Mixing of concrete;:-

(e) Manufacture of ice for ice rinks;:-

(f) Cleaning roads, sidewalks, and outdoor work areas;:-

(g) Hydrostatic testing of force mains;

(h) Dust control at construction site; and

(i) Indoor or outdoor aesthetic purposes (e.g., decorative pools, fountains, ponds, lagoons, and other aesthetic features).

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-2-90, Formerly 17-610.480, Amended 1-9-96,_____.

62-610.491 Additional Operation and Maintenance Requirements.

(1) In addition to the operation and maintenance requirements specified in ~~R~~ule 62-610.320, F.A.C., and the engineering report requirements specified in ~~R~~ule 62-610.310, F.A.C., the following requirements apply to reuse systems for irrigation in public access areas.

(a) The permittee shall develop and obtain Department approval of an operating protocol as discussed in ~~R~~ules 62-610.320 and 62-610.463, F.A.C.

(b) The permittee shall develop and obtain Department acceptance for a cross-connection prevention and inspection program as discussed in ~~R~~ule 62-610.469, F.A.C.

(c) No change.

(d) A pretreatment program shall be developed and implemented pursuant to ~~R~~ule 62-610.330, F.A.C.

(2) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.491, Amended 1-9-96,_____.

PART IV RADID-RATE LAND APPLICATION SYSTEMS
(RAPID INFILTRATION BASINS AND ABSORPTION
FIELDS)

62-610.500 Description of System.

(1) No change.

(2) Absorption fields.

(a) No change.

(b) Absorption fields shall be designed to use the soil/plant overburden. They shall not be designed to have paved or impervious overburden surfaces. Systems designed with paved or impervious overburden surfaces shall meet the requirements of ~~R~~ule 62-610.525, F.A.C. Particular attention shall be given to the reliability and flexibility of operating and maintaining the proposed application/distribution system as well as the level of preapplication treatment and surface drainage effects on the absorption fields.

(c) No change.

(3) Because of the somewhat limited ability of these systems to renovate reclaimed water, the permittee shall, in the engineering report, address (in detail) the ability of the proposed project to meet ground water criteria at the edge of the

zone of discharge. Projects having hydrogeologic or other project characteristics unfavorable for achieving the combined objectives of wastewater renovation, effluent disposal or reuse of reclaimed water, and ground water protection shall meet the requirements of Rule 62-610.525, F.A.C. New rapid-rate land application projects involving continuous loading to a single basin, RIB, percolation cell, or absorption field shall meet the requirements in Rule 62-610.525, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.500, Amended 1-9-96,_____.

62-610.510 Waste Treatment, Disinfection, and Monitoring.

(1) At a minimum, preapplication waste treatment shall result in a reclaimed water meeting secondary treatment and basic disinfection levels prior to spreading into the rapid infiltration basins or absorption field system. The nitrate concentration in the applied reclaimed water shall not exceed 12 mg/L (as nitrogen) unless reasonable assurance is provided in the engineering report that nitrate as measured in any hydraulically down-gradient monitoring well located at the edge of the zone of discharge established in accordance with Chapter 62-520 rule 62-522.600, F.A.C., will not exceed 10 mg/L or background levels in the receiving ground water, whichever is less stringent. Design nitrate content of the reclaimed water prior to reuse shall be established by the permittee subject to Department approval. Additional treatment may be required as a result of the pond location, subsurface drainage, and hydraulic loading rate provisions contained below.

(2) No change.

(3) Monitoring.

(a) No change.

(b) Requirements for ground water monitoring shall be as contained in Rule 62-610.412, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.510, Amended 1-9-96, 8-8-99,_____.

62-610.514 Storage Requirements.

(1) No change.

(2) Where holding ponds are provided for reclaimed water storage, such ponds are subject to the requirements of Rule 62-610.414, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.514, Amended 1-9-96,_____.

62-610.517 Surface Runoff Control and Subsurface Drainage.

(1) No change.

(2) Subsurface drainage.

(a) If subsurface drain systems are needed, they shall be designed in accordance with appropriate portions of paragraph 62-610.300(1)(c) 62-610.300(1)(f), F.A.C., concerning Natural Resources Conservation Service criteria for subsurface drains. The drainage system shall be designed so that the seasonal high water table is drawn down to a minimum of 36 inches below pond bottoms during resting periods. The requirements of subsection 62-610.850(1), F.A.C., shall apply to discharges to surface waters from the drainage system.

(b) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.517, Amended 1-9-96,_____.

62-610.521 Setback Distances.

(1) No change.

(2) A setback distance of 500 feet shall be provided from the edge of the rapid infiltration basin, percolation pond, basin, or trench embankments, or from the edge of an absorption field to potable water supply wells that are existing or have been approved by the Department or by the Department of Health (but not yet constructed); Class I surface waters; or Class II surface waters. The setback distance to Class I and II surface waters shall be reduced to 100 feet if high-level disinfection is provided. Setback distance requirements apply to all Class II waters, regardless of Department classification (such as open, closed, approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified). The setback distance to potable water supply wells, which are not potable water wells, as described in Rule 62-521.200, F.A.C., shall be reduced to 200 feet if all of the following requirements are met:

(a) through (c) No change.

(3) through (9) No change.

(10) A 500-foot setback distance shall be provided from new unlined storage ponds to potable water wells, as described in Rule 62-521.200, F.A.C.

(11) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.521, Amended 1-9-96, 8-8-99,_____.

62-610.523 Design and Operation Requirements.

(1) Hydraulic loading rates shall be developed on the basis of representative percolation tests (drainfield percolation tests described in Chapter 64E-6, F.A.C., are inappropriate) which

simulate actual loading conditions that will prevail during the design life of the rapid-rate system. This shall involve bench-scale or pilot-scale hydraulic testing with either the actual reclaimed water to be applied, or other water properly adjusted to correspond to the composition of the reclaimed water to be applied. The design loading rate shall allow for the expected gradual reduction in percolation rate due to long-term application of reclaimed water.

(2) No change.

(3) Initial average annual hydraulic loading rates shall be limited to 3 inches per day, or 1.9 GPD/FT², as an annual average where hydrogeologically feasible and as applied to the total bottom area of rapid infiltration basins, percolation cells, or absorption fields. For absorption fields, the bottom area shall be calculated by multiplying the bottom width of the absorption field trench by the length of the absorption field application/distribution lines. An applicant may request higher average annual loading rates based on justification provided in the engineering report, but such rates shall not exceed 9 inches per day (5.6 GPD/FT²), unless the requirements of Rule 62-610.525, F.A.C., are met. The average annual hydraulic loading rate shall be related to the clear water saturated vertical hydraulic conductivity for the most restrictive layer in the unconsolidated medium underlying the site. However, application rates during the loading cycle for individual rapid infiltration basins, percolation cells, or portions of the absorption field comprising the system will depend on the average annual hydraulic loading rate and the loading/resting cycle for the system. Application rates during the loading cycle shall be conservative and shall not exceed 25 percent of the documented vertical hydraulic conductivity, as described above, to control ground water mounding and ensure hydraulic performance of the system. Application rates during the loading cycle may exceed the maximum average annual hydraulic loading rates specified above. Justification for the use of selected design hydraulic criteria shall be required in the engineering report. These design criteria shall be based on the pollutant load in the reclaimed water to be applied, the characteristics of the underlying soil and aquifer system, loading and resting cycles to be used, and other process design considerations (including denitrification reactions that may be incorporated into the facility's design).

(4) Hydraulic loading and resting cycles shall be developed so as to restore operating percolation rates of the pond system to design levels by the end of the resting period. Hydraulic loading periods of 1-7 days with resting periods of 5-14 days to dry the cell bottoms and enable scarification or removal of deposited solids are required. Design loading and resting cycles and other maintenance measures required to ensure system performance shall be described in the engineering report. Systems which achieve restoration of design operating

percolation rates on a diurnal cycle shall meet the requirements of Rule 62-610.525, F.A.C. Loading and resting cycles are required for absorption fields. Loading and resting periods for absorption fields may vary from the requirements for rapid infiltration basins, if the applicant provides an affirmative demonstration that the alternative loading and resting cycle will enable compliance with the ground water criteria at the edge of the zone of discharge.

(5) through (8) No change.

(9) The physical characteristics of unconsolidated materials overlying the bedrock shall be such that direct rapid movement (short-circuit) of the applied reclaimed water to underlying aquifers does not occur, unless the requirements of Rule 62-610.525, F.A.C., are met.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.523, Amended 1-9-96, 8-8-99,_____.

62-610.525 Projects Involving Additional Levels of Preapplication Treatment.

(1) through (2) No change.

(3) In accordance with Rule 62-610.100, F.A.C., the Secretary or the Secretary's designee may apply the requirements in Rule 62-610.525, F.A.C., to existing, rapid-rate land application facilities where violations of permit conditions or water quality standards have occurred to ensure future compliance with permit conditions and water quality standards.

(4) through (7) No change.

(8) Drinking water standards.

(a) Wastewater treatment facilities shall be designed and operated to meet the primary and secondary drinking water standards established in Rules 62-550.310 and 62-550.320, F.A.C.

1. through 5. No change.

(b) The Department shall approve less restrictive discharge limits for parameters which are included as primary or secondary drinking water standards under any of the following circumstances:

1. The applicant provides an affirmative demonstration in the engineering report that a zone of discharge is appropriate and that the corresponding ground water standards contained in Chapter 62-520, F.A.C., will be met at the edge of the zone of discharge.

2. through 3. No change.

4. A parameter exemption has been granted, as provided in Rule 62-520.500, F.A.C.

(c) No change.

(9) Class I reliability as described in paragraph 62-610.300(1)(a) ~~62-610.300(1)(e)~~, F.A.C., shall be provided. The Department shall approve alternative levels of treatment facility

reliability if the permittee provides reasonable assurances in the engineering report that the facility will provide a level of reliability equivalent to Class I reliability. Class I reliability shall not be required if a permitted alternate treatment or discharge system exists which has sufficient capacity to handle any reclaimed water flows which do not meet the performance criteria for the reuse system.

(10) A ground water monitoring plan meeting the requirements of R#rule 62-520.600 ~~62-522.600~~, F.A.C., is required. A proposed monitoring plan shall be included in the engineering report. Approval of the monitoring plan by the Department shall be a prerequisite for issuance of the initial permit.

(11) Setback distances shall be as established in R#rule 62-610.521, F.A.C.

(12) A pretreatment program shall be prepared and implemented in accordance with R#rule 62-610.330, F.A.C., for domestic wastewater treatment facilities which have permitted capacities of 0.1 mgd or larger and discharge all or part of their reclaimed water to rapid-rate land application systems regulated under R#rule 62-610.525, F.A.C.

(13) The permittee shall sample the reclaimed water for Cryptosporidium and Giardia. The following requirements shall be met:

(a) Sampling shall be conducted once every two years. Intervals between sampling shall not exceed two years. The sample results shall be submitted to the Department on or before November 20 of each even numbered year using Form 62-610.300(3)(a)4.

(b) Samples shall be taken at a point immediately following the disinfection process.

(c) Samples shall be taken during peak flow periods between the months of August and October.

(d) If the wastewater treatment facility uses chlorination for disinfection, samples collected for analysis of Giardia and Cryptosporidium shall be dechlorinated.

(e) A grab sample for TSS shall be taken such that it is representative of the water leaving the filters at the treatment facility during the period when pathogen samples are taken. In addition, the permittee shall record the lowest total residual chlorine observed during the period when pathogen samples are collected.

(f) EPA Method 1623 or other approved methods for reclaimed water or nonpotable waters, adjusted appropriately to accommodate the detection limit requirements, shall be used. Methods previously allowed for EPA's ICR shall not be used. The full requirements of the approved method, including quality assurance and quality control, are to be met. Quality assurance and sampling requirements of Chapter 62-160, F.A.C., shall apply.

Two concentrations of Giardia and Cryptosporidium shall be recorded on Part III of Form 62-610.300(3)(a)4.

1. Total cysts and oocysts shall be enumerated using EPA Method 1623 or other approved methods.

2. Potentially viable cysts and oocysts shall be enumerated using the DAPI staining technique contained in EPA Method 1623 or similar enumeration techniques included in other approved methods. Cysts and oocysts that are stained DAPI positive or show internal structure by D.I.C. shall be considered as being potentially viable. If the laboratory reports separate values for DAPI positive and for cysts or oocysts having internal structure, the larger of the two concentrations will be reported as being potentially viable.

(g) If the number of potentially viable cysts of Giardia reported exceeds 5 per 100 liters or oocysts of Cryptosporidium reported exceeds 22 per 100 liters, a subsequent sample shall be taken and analyzed using EPA Method 1623 or other approved methods. This subsequent sample shall be collected within 90 days of the date the initial sample was taken, analyzed for both Giardia and Cryptosporidium, and the results of the subsequent analysis shall be submitted to the Department within 60 days of sample collection using Form 62-610.300(3)(a)(4).

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.525, Amended 1-9-96, 8-8-99,_____.

PART V GROUND WATER RECHARGE AND INDIRECT POTABLE REUSE

62-610.550 Description of System.

(1) Ground water recharge.

(a) This type of reuse system involves the planned use of reclaimed water to augment Class F-I, G-I, or G-II ground waters. Types of ground water recharge systems include:

1. Injection of reclaimed water into Class F-I, G-I, or G-II ground waters, as described in R#rule 62-610.560, F.A.C.

2. Rapid-rate land application systems, as described and regulated by P#part IV of this chapter-62-610, F.A.C.

3. Use of reclaimed water to create barriers to the landward or upward migration of salt water within Class F-I, G-I, or G-II ground waters, as described in R#rule 62-610.562, F.A.C. Rapid-rate land application or injection facilities may be used for salinity barrier control.

4. Discharge to surface waters which are directly connected to Class F-I, G-I, or G-II ground waters, as described in R#rule 62-610.555, F.A.C.

(b) No change.

(2) Indirect potable reuse. This type of reuse system involves the planned use of reclaimed water to augment surface water resources which are used or will be used for public water supplies. Indirect potable reuse systems include:

(a) Discharges to Class I surface waters, as described in Rule 62-610.554, F.A.C.

(b) Discharges to other surface waters which are directly or indirectly connected to Class I surface waters, as described in Rule 62-610.555, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.550, Amended 1-9-96, 8-8-99,_____.

62-610.553 Minimum System Size.

Reclaimed water from treatment facilities with a design average daily flow of less than 0.1 mgd shall not be used for ground water recharge or indirect potable reuse under the provisions of Part V of this chapter 62-610, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96,_____.

62-610.554 Discharge to Class I Surface Waters.

(1) No change.

(2) Discharge of reclaimed water to wetlands located within Class I surface waters is allowed, if the requirements of Chapters 62-611, and this part of 62-610, F.A.C., are met.

(3) through (4) No change.

(5) Discharges to surface waters shall meet reclaimed water or effluent limits established by procedures contained in Chapter 62-650, F.A.C., and the requirements of the antidegradation policy contained in Rules 62-4.242 and 62-302.300, F.A.C.

(6) through (7) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96, Amended 8-8-99,_____.

62-610.555 Discharge to Other Surface Waters.

(1) Discharge to waters contiguous to or tributary to Class I waters.

(a) through (b) No change.

(c) Discharge of reclaimed water or effluent to waters contiguous to or tributary to Class I waters shall be in accordance with Chapter 62-650, F.A.C. Discharges shall meet the requirements of the antidegradation policy contained in Rules 62-4.242 and 62-302.300, F.A.C.

(d) through (f) No change.

(2) Discharge upstream of Class I waters.

(a) through (b) No change.

(c) Discharge of reclaimed water or effluent upstream of Class I waters shall be in accordance with Chapter 62-650, F.A.C. Discharges shall meet the requirements of the antidegradation policy contained in Rules 62-4.242 and 62-302.300, F.A.C.

(d) No change.

(3) Surface water discharges located greater than 24 hours travel time to Class I waters shall not be considered as indirect potable reuse. Discharges located greater than 24 hours travel time to Class I waters are not subject to regulation under Chapter 62-610, F.A.C.

(4) Discharge to other surface waters which are directly connected to Class F-I, G-I, or G-II ground waters.

(a) through (b) No change.

(c) A wetlands or other surface water which may recharge an underlying aquifer through percolation downward through unconsolidated material shall not be considered as being directly connected to ground water for purposes of this paragraph. Discharges to wetlands are subject to the requirements of Chapter 62-611, F.A.C. Discharges to other surface waters are subject to the requirements of Chapter 62-650, F.A.C. Discharge to a wetlands or other surface water which recharges ground water through vertical percolation also are subject to regulation under the ground water rules in Chapters 62-520 and 62-522, F.A.C. These surface water discharges are not subject to regulation under Chapter 62-610, F.A.C.

(d) through (e) No change.

(f) Discharges to surface waters shall meet reclaimed water or effluent limits established by procedures contained in Chapter 62-650, F.A.C. Discharge limits shall be established to ensure that ground water quality criteria established in Chapter 62-520, F.A.C., will be met at the point or points where the surface water enters the ground water system. These surface water discharges shall meet the requirements of the antidegradation policy contained in Rules 62-4.242 and 62-302.300, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96, Amended 8-8-99,_____.

62-610.556 Land Application.

It is recognized that land application projects can and do recharge ground water and can be used to augment ground waters used for potable purposes. Land application systems are regulated by Parts II, III, IV, and VI of this chapter 62-610, F.A.C. As a result, land application projects are not subject to regulation under Part V of this chapter 62-610, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96,_____.

62-610.560 Ground Water Recharge by Injection.

(1) through (2) No change.

(3) Reclaimed water may be injected into Class G-II ground water containing greater than 3000 mg/L of total dissolved solids, if the following conditions are met:

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

~~(b) The reclaimed water shall meet the primary drinking water standards as described in paragraph 62-610.563(3)(b), F.A.C., before injection. The disinfection standards in subparagraph 62-610.563(3)(b)1.a., F.A.C., shall govern. The fecal coliform limitations associated with high level disinfection shall not apply. Zones of discharge shall not be provided for parameters listed as primary drinking water standards (except for sodium).~~

(c) The reclaimed water does not have to comply with the secondary drinking water standards before injection. A zone of discharge, as described in ~~Rule 62-520.465~~ 62-522.410, F.A.C., shall be provided for the parameters included in the secondary drinking water standards and for sodium. The ground water shall meet all ground water quality standards at the edge of the zone of discharge. If the natural background ground water quality does not meet the ground water quality standards, the injection system shall be operated such that the ground water quality will be no worse than the natural background ground water quality at the edge of the zone of discharge.

(d) The zone of discharge shall not extend into zones having TDS concentrations less than 3000 mg/L (based on the initial TDS characterization in the engineering report and subsequent information).

(4) All injection projects shall comply with the technical and permitting requirements in Chapter 62-528, F.A.C., and shall obtain an underground injection control construction and operation permit, as appropriate, in addition to any permits required under Chapters 62-610 and 62-620, F.A.C.

(5) The Department shall approve less restrictive discharge limitations for parameters which are included as drinking water standards in either of the following circumstances:

(a) No change.

(b) A parameter exemption has been granted, as described in Rule 62-520.500, F.A.C.

(6) No change.

Rulemaking Authority 403.051, 403.061, 403.087, 403.859 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088, 403.859 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.560, Amended 1-9-96, 8-8-99, _____.

62-610.562 Salinity Barrier Systems.

(1) No change.

(2) If rapid-rate land application systems are used to create such barriers, the requirements in Part IV of this chapter ~~62-610, F.A.C.~~, shall apply. Rapid-rate land application systems are not subject to regulation under Part V of this chapter ~~62-610, F.A.C.~~

(3) Except as provided in subsection 62-610.562(4), F.A.C., if injection systems are used, the requirements of Rule 62-610.560, F.A.C., shall apply.

(4) Salinity barrier systems involving injection to Class G-II ground water containing 1000 to 3000 mg/L of total dissolved

solids. Treatment requirements specified in subsection 62-610.560(3), F.A.C., shall apply to this case, if all of the following conditions are met:

(a) through (d) No change.

(e) The zone of discharge shall not extend into zones having TDS concentrations less than 1000 mg/L (based on the initial TDS characterization in the engineering report and subsequent information).

(5) The Department shall approve less restrictive discharge limitations for parameters which are included as drinking water standards in either of the following circumstances:

(a) No change.

(b) A parameter exemption has been granted, as described in Rule 62-520.500, F.A.C.

(6) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96, Amended 8-8-99, _____.

62-610.563 Waste Treatment and Disinfection.

(1) Rule 62-610.563, F.A.C., defines two levels of treatment and disinfection: “principal treatment and disinfection,” and “full treatment and disinfection.” These two levels of treatment and disinfection, or specific components of these levels of treatment and disinfection, shall be applied to ground water recharge and indirect potable reuse projects as required by other rules within Part V of this chapter.

(2) Principal treatment and disinfection requirements.

(a) through (b) No change.

(c) Total nitrogen shall be limited to 10 mg/L as nitrogen as a maximum annual average limitation. Monthly average and single sample permit limitations shall be established using the multipliers in subparagraph 62-600.740(1)(b)2., F.A.C. For surface water discharges, WQBELs established under Chapter 62-650, F.A.C., may place additional limitations on nitrogen or other parameters.

(3) Full treatment and disinfection requirements.

(a) No change.

(b) Drinking water standards.

1. Wastewater treatment facilities shall be designed and operated to meet the primary and secondary drinking water standards established in Rules 62-550.310 and 62-550.320, F.A.C.

a. through c. No change.

(c) through (f) No change.

(4) Treatment and disinfection requirements imposed by Rule 62-610.563, F.A.C., are additive to other effluent or reclaimed water limitations imposed by other rules (such as WQBEL limits designed to protect surface water quality, which are imposed by Chapter 62-650, F.A.C.).

(5) All ground water recharge and indirect potable reuse projects regulated by Part V of this chapter shall implement pretreatment programs in accordance with Rule 62-610.330, F.A.C.

(6) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.563, Amended 1-9-96, 8-8-99,_____.

62-610.564 Pilot Testing Program.

(1) No change.

(2) The pilot testing program shall be designed to demonstrate the ability of the selected treatment processes to meet the requirements of Part V of this chapter 62-610, F.A.C., and to generate a supply of reclaimed water that can be used to evaluate the suitability of the reclaimed water for ground water recharge or indirect potable reuse. Pilot testing shall be done using wastewater/reclaimed water.

(3) through (5) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.564, Amended 1-9-96, 8-8-99,_____.

62-610.567 Reliability and Operator Staffing.

(1) A minimum of Class I reliability, as described in paragraph 62-610.300(1)(a) 62-610.300(1)(e), F.A.C., shall be provided at all domestic wastewater treatment facilities providing reclaimed water for ground water recharge and indirect potable reuse systems, which are regulated by Part V this of chapter 62-610, F.A.C.

(a) through (b) No change.

(2) No change.

(3) Except as provided in subsection 62-610.567(4), F.A.C., domestic wastewater treatment facilities which are not required to provide full treatment and disinfection shall be staffed by a Class C or higher operator 24 hours per day, 7 days per week. The lead/chief operator shall be at minimum Class B, or higher if required by Chapter 62-699, F.A.C.

(4) The minimum staffing requirement at the wastewater treatment facility shall be reduced to staffing by a Class C or higher operator 6 hours per day, 7 days per week, unless Chapter 62-699, F.A.C., requires additional operator presence or a higher level of operator. The lead/chief operator shall be at minimum Class C, or higher if required by Chapter 62-699, F.A.C. This minimum staffing requirement shall be allowed only in conjunction with at least one of the following:

(a) through (b) No change.

(5) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086,

403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.567, Amended 1-9-96, 8-8-99,_____.

62-610.568 Monitoring and Operating Protocol.

(1) Only acceptable quality reclaimed water shall be discharged to reuse systems regulated under Part V of this chapter 62-610, F.A.C.

(2) No change.

(3) The treatment facility shall include continuous on-line monitoring for turbidity before application of the disinfectant. Continuous monitoring for total residual chlorine residual or for residual concentrations of other disinfectants, if used, shall be provided at the compliance monitoring point. Instruments for continuous on-line monitoring shall be equipped with an automated data logging or recording device. Continuous online monitoring instruments shall be calibrated according to the requirements of Chapters 62-160 and 62-600 62-601, F.A.C. Continuous online monitoring instruments shall be maintained according to the manufacturer’s operation and maintenance instructions.

(4) through (5) No change.

(6) Other reclaimed water monitoring shall meet the requirements of Chapter 62-600 62-601, F.A.C.

(7) In accordance with Rule 62-610.320, F.A.C., the permittee shall develop, and the Department shall approve, an operating protocol designed to ensure that the reclaimed water limitations will be met before the reclaimed water is released to the reuse system. For treatment facilities required to provide full treatment and disinfection, the operating protocol shall include monitoring and control of key treatment processes for removal of organic compounds required by subsection 62-610.563(3), F.A.C., and shall incorporate the fail safe “lock-out” provisions of subsection 62-610.567(2), F.A.C. In the engineering report, the applicant shall describe and justify the operational controls on the key treatment processes for removal of organic compounds. Reclaimed water produced at the treatment facility that fails to meet the criteria established in the operating protocol shall not be released to the system storage or reuse system. Such substandard reclaimed water (reject water) shall be either stored for subsequent additional treatment or shall be discharged to another permitted reuse system requiring lower levels of preapplication treatment or to a permitted effluent disposal system. The operating protocol shall be reviewed and updated by the permittee as required by Rule 62-610.320, F.A.C. The permittee shall submit the current operating protocol to the Department for review with any application to renew or modify the permit.

(8) Ground water monitoring requirements shall be as specified in Rule 62-610.412, F.A.C. A ground water monitoring plan meeting the requirements of Chapters 62-520 62-522, 62-600 62-601, and 62-610, F.A.C., is required.

Submittal and approval of ground water monitoring plans shall be in accordance with Rule 62-520.600 ~~62-522.600~~, F.A.C. Department approval of the ground water monitoring plan is a prerequisite for issuance of the initial permit.

(9) No change.

(10) Except as noted in subsection 62-610.568(11), F.A.C., the permittee shall sample the reclaimed water for Cryptosporidium and Giardia. The following requirements shall be met:

(a) Sampling shall be conducted quarterly. Intervals between sampling shall not exceed three months. The sample results shall be submitted to the Department on or before February 28, May 28, August 28, and November 28 of each year using Form 62-610.300(3)(a)4.

(b) No change.

(c) Sampling for Cryptosporidium and Giardia shall be required only for the following types of projects:

1. Discharge to Class I surface waters, as described in Rule 62-610.554, F.A.C.

2. No change.

3. Injection projects used for ground water recharge or salinity barrier control, as described in Rule 62-610.560 or 62-610.562, F.A.C.

4. No change.

(d) Samples shall be taken during peak flow periods between the months of August and October.

(e) If the wastewater treatment facility uses chlorination for disinfection, samples collected for analysis of Giardia and Cryptosporidium shall be dechlorinated.

(f) A grab sample for TSS shall be taken such that it is representative of the water leaving the filters at the treatment facility during the period when pathogen samples are taken. In addition, the permittee shall record the lowest total residual chlorine observed during the period when pathogen samples are collected.

(g) EPA Method 1623 or other approved methods for reclaimed water or nonpotable waters, adjusted appropriately to accommodate the detection limit requirements, shall be used. Methods previously allowed for EPA's ICR shall not be used. The full requirements of the approved method, including quality assurance and quality control, are to be met. Quality assurance and sampling requirements in Chapter 62-160, F.A.C., shall apply. Two concentrations of Giardia and Cryptosporidium shall be recorded on Part III of Form 62-610.300(3)(a)4.

1. Total cysts and oocysts shall be enumerated using EPA Method 1623 or other approved methods.

2. Potentially viable cysts and oocysts shall be enumerated using the DAPI staining technique contained in EPA Method 1623 or similar enumeration techniques included in other approved methods. Cysts and oocysts that are stained DAPI

positive or show internal structure by D.I.C. shall be considered as being potentially viable. If the laboratory reports separate values for DAPI positive and for cysts or oocysts having internal structure, the larger of the two concentrations will be reported as being potentially viable.

(h) If the number of potentially viable cysts of Giardia reported exceeds 5 per 100 liters or oocysts of Cryptosporidium reported exceeds 22 per 100 liters, a subsequent sample shall be taken and analyzed using EPA Method 1623 or other approved methods. This subsequent sample shall be collected within 90 days of the date the initial sample was taken, analyzed for both Giardia and Cryptosporidium, and the results of the subsequent analysis shall be submitted to the Department within 60 days of sample collection using Form 62-610.300(3)(a)4.

(11) For projects involving discharge to waters upstream of Class I surface waters, as described in subsection 62-610.555(2), F.A.C., the permittee shall sample the reclaimed water for Cryptosporidium and Giardia. The following requirements shall be met:

(a) Sampling shall be conducted at one time during each two-year period. Intervals between sampling shall not exceed two years. The sample results shall be submitted to the Department on or before November 28 of each even numbered year using Form 62-610.300(3)(a)4.

(b) No change.

(c) Samples shall be taken during peak flow periods between the months of August and October.

(d) If the wastewater treatment facility uses chlorination for disinfection, samples collected for analysis of Giardia and Cryptosporidium shall be dechlorinated.

(e) A grab sample for TSS shall be taken such that it is representative of the water leaving the filters at the treatment facility during the period when pathogen samples are taken. In addition, the permittee shall record the lowest total residual chlorine observed during the period when pathogen samples are collected.

(f) EPA Method 1623 or other approved methods for reclaimed water or nonpotable waters, adjusted appropriately to accommodate the detection limit requirements, shall be used. Methods previously allowed for EPA's ICR shall not be used. The full requirements of the approved method, including quality assurance and quality control, are to be met. Quality assurance and sampling requirements in Chapter 62-160, F.A.C., shall apply.

Two concentrations of Giardia and Cryptosporidium shall be recorded on Part III of Form 62-610.300(3)(a)4.

1. Total cysts and oocysts shall be enumerated using EPA Method 1623 or other approved methods.

2. Potentially viable cysts and oocysts shall be enumerated using the DAPI staining technique contained in EPA Method 1623 or similar enumeration techniques included in other

approved methods. Cysts and oocysts that are stained DAPI positive or show internal structure by D.I.C. shall be considered as being potentially viable. If the laboratory reports separate values for DAPI positive and for cysts or oocysts having internal structure, the larger of the two concentrations will be reported as being potentially viable.

(g) If the number of potentially viable cysts of Giardia reported exceeds 5 per 100 liters or oocysts of Cryptosporidium reported exceeds 22 per 100 liters, a subsequent sample shall be taken and analyzed using EPA Method 1623 or other approved methods. This subsequent sample shall be collected within 90 days of the date the initial sample was taken, analyzed for both Giardia and Cryptosporidium, and the results of the subsequent analysis shall be submitted to the Department within 60 days of the sample collections using Form 62-610.300(3)(a)4.

Rulemaking Authority 403.051, 403.061, 403.064, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.568, Amended 1-9-96, 8-8-99, 11-19-07,_____.

62-610.571 Setback Distances.

(1) Setback distances for injection facilities shall be established in accordance with Rule 62-610.521, F.A.C.

(2) No change.

(3) Where zones of discharge are allowed by this part and by Rule ~~62-520.465~~ ~~62-522.410~~, F.A.C., the zone of discharge shall not extend closer than 500 feet to a potable water supply well.

(4) No change.

(5) For potable water supply wells that are not potable water wells, as described in Rule 62-521.200, F.A.C., the Department shall approve smaller setback distances than those required by subsections 62-610.571(3) and (4), F.A.C., if the applicant provides an affirmative demonstration in the engineering report that confinement exists between the injection zone and the potable water supply well such that the injection will not adversely affect the quantity or quality of water withdrawn from the potable water supply well.

(6) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.571, Amended 1-9-96, 8-8-99,_____.

62-610.573 Storage Requirements.

(1) No change.

(2) If system storage is provided, the requirements for system storage ponds shall be as contained in Rule 62-610.464, F.A.C.

(3) A separate, off-line system shall be provided for storage of reject water. Reject water storage shall have sufficient capacity to ensure retention of reclaimed water of unacceptable

quality. At a minimum, for treatment facilities required to provide full treatment and disinfection, this capacity shall be the volume equal to three days flow at the average daily permitted flow of the treatment plant, or the average daily permitted flow of the reuse system, whichever is less. If full treatment and disinfection is not required, the capacity requirement shall be reduced to one day's flow. Provisions for recirculating this reject water to other parts of the treatment plant for further treatment shall be incorporated into the design. Reject storage shall not be required if another permitted reuse system or effluent disposal system is capable of discharging the reject water in accordance with the requirements of Chapter 62-620, F.A.C. Reject storage ponds shall be lined or sealed to prevent measurable seepage, as described in Rule 62-610.414, F.A.C.

(4) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.573, Amended 1-9-96, 8-8-99,_____.

62-610.574 Access Control, Advisory Signs, and Public Notification.

(1) Access control for storage ponds shall be as described in Rule 62-610.518, F.A.C.

(2) Chapter 62-620, F.A.C., requires public notification and provides opportunities for a public meeting for projects involving surface water discharges. Chapter 62-528, F.A.C., requires public notification and provides opportunities for a public meeting for projects involving underground injection. These public notification and public meeting requirements contained in Chapters 62-528 and 62-620, F.A.C., shall apply to injection and surface water discharge projects, respectively, regulated under Part V of this chapter ~~62-610, F.A.C.~~

(3) Permittees developing ground water recharge or indirect potable reuse projects that will be regulated under Part V this of chapter ~~62-610, F.A.C.~~, shall implement public education and public participation programs during the planning stages of the reuse program. The public education and public participation programs shall be described in detail in the engineering report.

(4) Applicants shall provide written notice to affected public water supply utilities within the area to be affected by the proposed project. For projects involving discharges to Class I waters, affected utilities shall include public water supply utilities drawing source water from the Class I water. For ASR ~~Aquifer storage and recovery~~ projects and injection projects regulated by Rules 62-610.466, 62-610.560, or 62-610.562, F.A.C., affected utilities shall include public water supply utilities withdrawing ground water for public water supply within two miles of the proposed injection well, or within the area of review established in accordance with Rule 62-528.300(4), F.A.C., whichever is larger. For projects involving

discharges to surface waters that are directly connected to ground water, which serve as ground water recharge, as described in subsection 62-610.555(4), F.A.C., affected utilities shall include public water supply utilities withdrawing ground water for public water supply within two miles of the point of discharge and within two miles of the point or points where the surface water enters the ground water. Written notice also shall be provided to the appropriate county health department. These written notifications shall be accomplished before the submittal of the initial permit application. Documentation of this notification procedure shall be included in the engineering report. These notices to affected utilities and to the county health department are required for the following types of projects:

(a) Discharge to Class I surface waters, as described in Rule 62-610.554, F.A.C.

(b) No change.

(c) Injection projects used for ground water recharge or salinity barrier control, as described in Rule 62-610.560 or 62-610.562, F.A.C.

(d) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.574, Amended 1-9-96, 8-8-99, ____.

PART VI OVERLAND FLOW SYSTEMS

62-610.610 Waste Treatment and Disinfection.

(1) Approval of projects involving preapplication treatment below secondary treatment and basic disinfection levels shall be given provided the physical site conditions in Rule 62-610.625, F.A.C., are met. Proposed preapplication treatment levels shall provide reasonable assurance that long-term performance of the land treatment system shall, at a minimum, result in an effluent meeting the secondary treatment and basic disinfection levels before release of effluent to the environment by final surface water discharge from land treatment sites. The pollutant content of the final effluent may be more stringently limited by effluent limitations required in Chapters 62-600 and 62-650, F.A.C., as required to satisfy water quality requirements.

(2) No change.

Rulemaking Authority 403.061, 403.087 FS. Law Implemented 403.021, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.610, Amended 1-9-9, ____.

62-610.613 Monitoring of Effluent and Ground Water.

(1) through (2) No change.

(3) Ground water monitoring requirements, if any, shall be established pursuant to Rule 62-610.412, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.613, Amended 1-9-96, ____.

62-610.614 Storage Requirements.

(1) through (3) No change.

(4) Requirements for system storage holding ponds shall be as contained in Rule 62-610.414, F.A.C. Where a continuous aquitard is present at the overland flow site, the aquitard may be used to provide assurance of compliance with the liner or seal requirements of Rule 62-610.414, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.614, Amended 1-9-96, ____.

62-610.617 Surface Runoff Control.

Requirements for control of runoff entering the land application site shall be as contained in Rule 62-610.417, F.A.C. All discharges from the application site shall result in maintenance of water quality standards.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.617, ____.

62-610.621 Setback Distances.

(1) No change.

(2) Overland flow land application systems shall maintain a distance of 100 feet from the edge of the wetted area of the land application area to buildings that are not part of the treatment facilities, utilities system, or municipal operations; or to the site property line, and to potable water supply wells, which are not potable water wells, as described in Rule 62-521.200, F.A.C., that are existing or have been approved by the Department or by the Department of Health (but not yet constructed).

(3) A setback distance of 500 feet shall be provided from the edge of the wetted area to Class I surface waters; or Class II surface waters, or to potable water wells, as described in Rule 62-521.200, F.A.C., that are existing or have been approved by the Department or by the Department of Health (but not yet constructed). Setback distance requirements apply to all Class II waters, regardless of Department classification (such as open, closed, approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified).

(4) through (6) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.621, Amended 1-9-96, 8-8-99, ____.

PART VII INDUSTRIAL USES OF RECLAIMED WATER

62-610.650 Description of System.

(1) No change.

(2) Use of treated industrial wastewaters for land application, recycling within the industrial facility, or other reuse or disposal methods is not governed by Chapter 62-610, F.A.C. Reuse or disposal of industrial wastewaters is regulated by the Department's industrial wastewater rules.

(3) The reclaimed water flowing out of the industrial process shall be considered as an industrial wastewater and shall be subject to regulation under Chapters 62-4, 62-302, 62-520, 62-521, 62-522, 62-620, 62-621, 62-650, 62-660, 62-670, 62-671, 62-672, and 62-673, F.A.C., except as provided in Rule 62-610.668, F.A.C.

(4) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Amended 4-2-90, Formerly 17-610.650, Amended 1-9-96,_____.

62-610.652 Waste Treatment, Disinfection, and Monitoring.

(1) through (2) No change.

(3) Except as provided in paragraph 62-610.668(2)(d), F.A.C., domestic wastewater treatment or disinfection provided at the industrial facility before reuse of the reclaimed water at the industrial facility shall be subject to domestic wastewater permitting if the treatment or disinfection at the industrial site is needed to meet the minimum treatment and disinfection requirements imposed by this part of this chapter 62-610, F.A.C.

(4) No change.

(5) All requirements of Part III of this chapter 62-610, F.A.C., including minimum system size requirements, shall be met if reclaimed water will be used in open cooling tower applications, except as provided in paragraph 62-610.668(2)(c) or (d), F.A.C.

(6) Monitoring.

(a) through (b) No change.

(c) For facilities that provide reclaimed water for use in open cooling towers, the permittee shall sample the reclaimed water for *Cryptosporidium* and *Giardia*. The following requirements shall be met:

1. Sampling shall be conducted at one time during each two-year period. Intervals between sampling shall not exceed two years. This sampling frequency is independent of the treatment plant's capacity. The sample results shall be submitted to the Department on or before November 28 of each even numbered year using Form 62-610.300(3)(a)4.

2. No change.

3. Samples shall be taken during peak flow periods between the months of August and October.

4. If the wastewater treatment facility uses chlorination for disinfection, samples collected for analysis of *Giardia* and *Cryptosporidium* shall be dechlorinated.

5. A grab sample for TSS shall be taken such that it is representative of the water leaving the filters at the treatment facility during the period when pathogen samples are taken. In addition, the permittee shall record the lowest total residual chlorine observed during the period when pathogen samples are collected.

6. EPA Method 1623 or other approved methods for reclaimed water or nonpotable waters, adjusted appropriately to accommodate the detection limit requirements, shall be used. Methods previously allowed for EPA's ICR shall not be used. The full requirements of the approved method, including quality assurance and quality control, are to be met. Quality assurance and sampling requirements in Chapter 62-160, F.A.C., shall apply.

Two concentrations of *Giardia* and *Cryptosporidium* shall be recorded on Part III of Form 62-610.300(3)(a)4.

a. Total cysts and oocysts shall be enumerated using EPA Method 1623 or other approved methods.

b. Potentially viable cysts and oocysts shall be enumerated using the DAPI staining technique contained in EPA Method 1623 or similar enumeration techniques included in other approved methods. Cysts and oocysts that are stained DAPI positive or show internal structure by D.I.C. shall be considered as being potentially viable. If the laboratory reports separate values for DAPI positive and for cysts or oocysts having internal structure, the larger of the two concentrations will be reported as being potentially viable.

7. If the number of potentially viable cysts of *Giardia* reported exceeds 5 per 100 liters or oocysts of *Cryptosporidium* reported exceeds 22 per 100 liters, a subsequent sample shall be taken and analyzed using EPA Method 1623 or other approved methods. This subsequent sample shall be collected within 90 days of the date the initial sample was taken, analyzed for both *Giardia* and *Cryptosporidium*, and the results of the subsequent analysis shall be submitted to the department within 60 days of sample collection using Form 62-610.300(3)(a)4.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96, Amended 8-8-99,_____.

62-610.656 Storage Requirements.

(1) No change.

(2) If system storage facilities are provided at the domestic wastewater treatment facility, the following requirements apply:

(a) Except as provided in paragraph (b), below, requirements for design and operation of system storage facilities shall be as contained in Rule 62-610.414, F.A.C.

(b) If all requirements of ~~P~~part III of this chapter 62-610, F.A.C., are met, requirements for design and operation of system storage facilities shall be as contained in ~~R~~ule 62-610.464, F.A.C.

(3) If system storage facilities are provided at the industrial facility, these storage facilities are subject to regulation under the facility's industrial wastewater permit. These system storage facilities located at the industrial facility will not be regulated under ~~C~~hapter 62-610, F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96, Amended 8-8-99,_____.

62-610.662 Setback Distances.

(1) No change.

(2) If reclaimed water which meets the requirements of ~~P~~part II of this chapter 62-610, F.A.C., is used to irrigate landscaped areas on the industrial site, the setback distance requirements in ~~R~~ule 62-610.421, F.A.C., shall apply.

(3) If reclaimed water which meets the requirements of ~~P~~part III of this chapter 62-610, F.A.C., is used to irrigate landscaped areas on the industrial site, the setback distance requirements in ~~R~~ule 62-610.471, F.A.C., shall apply.

(4) A 300-foot setback distance shall be provided from an open cooling tower that receives reclaimed water to the site property line. If the full requirements of ~~P~~part III of this chapter 62-610, F.A.C., or of paragraph 62-610.668(2)(d), F.A.C., are met, no setback distance from the cooling tower to the site property line shall be required.

(5) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96, Amended 8-8-99,_____.

62-610.668 Cooling Water Applications.

(1) Once-through cooling.

(a) No change.

(b) Setback distances shall be as established in ~~R~~ule 62-610.662, F.A.C.

(c) through (e) No change.

(2) Open cooling towers.

(a) No change.

(b) All requirements of ~~P~~part III of this chapter 62-610, F.A.C., including minimum system size requirements, shall be met.

(c) No change.

(d) As an alternative to the requirements in paragraph 62-610.668(2)(b), F.A.C., all of the following requirements shall be met in the facility's industrial wastewater permit:

1. through 3. No change.

4. In lieu of the operation, staffing, and reliability provisions in ~~R~~ule 62-610.462, F.A.C., operation,

maintenance, staffing and reliability requirements shall be addressed in the facility's industrial wastewater permit in accordance with applicable industrial wastewater rules.

5. No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96, Amended 8-8-99,_____.

62-610.669 Use of Reclaimed Water at Wastewater Treatment Plants.

(1) No change.

(2) Reclaimed water may be used to irrigate landscaped areas at the wastewater treatment plant.

(a) If the reclaimed water has received secondary treatment and basic disinfection, the requirements of ~~P~~part II of this chapter, including setback distance requirements, shall be met. Reclaimed water meeting the secondary treatment definition contained in subparagraph 62-600.420(1)(b)2., F.A.C., may be used for this irrigation. Storage shall not be required.

(b) If the reclaimed water meets the treatment and disinfection requirements in ~~P~~part III of this chapter, the irrigation shall be regulated under ~~P~~part III.

(3) through (5) No change.

(6) Partially treated or undisinfected wastewater may be used for process water or other purposes at the wastewater treatment plant if the wastewater is collected after use and returned to the wastewater treatment plant for additional treatment or disinfection. Use of partially treated wastewater shall not be classified as reuse, unless the water has received a minimum of secondary treatment as defined in subparagraph 62-600.420(1)(b)2., F.A.C. Water that has received a minimum of secondary treatment as defined in subparagraph 62-600.420(1)(b)2., F.A.C. (with or without disinfection), which is used for a beneficial purpose under this paragraph shall be considered "reclaimed water" and the use shall be considered "reuse." Partially treated wastewater which does not meet the minimum treatment and disinfection criteria established in ~~C~~hapters 62-600 and 62-610, F.A.C., shall not be released to the environment.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 1-9-96,_____.

62-610.670 Industrial Discharge Limitations.

(1) Disposal or reuse of industrial wastewater resulting from the use of reclaimed water or other water sources in industrial processes shall be subject to Department regulation under the industrial wastewater program. Chapter 62-650, F.A.C., and Department rules governing industrial wastewater, as contained in ~~C~~hapters 62-4, 62-302, 62-520, 62-521, ~~62-522~~, 62-620, 62-621, 62-650, 62-660, 62-670, 62-671, 62-672, and 62-673, F.A.C., shall apply.

(2) Reclaimed water used for once-through cooling shall have effluent discharge limitations for surface water discharge established by Section 403.086(4), F.S., if all the following conditions are met:

(a) The reclaimed water delivered to the industrial site meets the requirements contained in Section 403.086(4), F.S.

(b) The discharge to surface water is located within the geographic area defined in Section 403.086(1)(c), F.S.

(c) through (d) No change.

(e) Department rules governing thermal discharges in Rule 62-302.520, and paragraph 62-620.106(1)(f), F.A.C., will apply at the discharge point.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-4-89, Formerly 17-610.670, Amended 1-9-96,_____.

PART VIII PERMITTING

62-610.800 Permitting Requirements.

(1) Construction, modification, or operation of reuse or land application systems requires a permit from the Department in accordance with Chapter 62-620, F.A.C., and with this chapter.

(2) The permittee shall comply with applicable design and performance criteria pursuant to this chapter and the permitting requirements contained in Chapter 62-620, F.A.C.

(3) through (4) No change.

(5) Implementation of Slow-Rate Land Application Projects in Public Access Areas, Residential Irrigation, and Edible Crop Irrigation.

(a) The reuse/land application permit for a project regulated by Part III of this chapter 62-610, F.A.C., shall meet the requirements of Rules 62-620.310 and 62-620.630, F.A.C.

(b) A general permit pursuant to Rule 62-610.890, F.A.C., is needed for the addition of a new major user that is not identified in the existing permit and is located within the area designated in an existing permit. This general permit shall only be used if the permittee does not request modification of the permitted capacity.

(c) No change.

(6) Record drawings.

(a) Record drawings are required for reuse and land application systems as discussed in Rule 62-620.630, F.A.C.

(b) For projects permitted under Parts III or VII of this chapter 62-610, F.A.C., record drawings are not required for facilities located on individual sites using reclaimed water. It is recommended, but not required, that permittees and users of reclaimed water maintain record drawings or other detailed records of the locations of reclaimed water facilities located on these sites.

(7) Placing a Facility in Operation.

(a) The permittee shall obtain written approval from the Department before placing the initial part, portion, or phase of a reuse system permitted under Part III of this chapter 62-610, F.A.C., into operation. Written application shall be made using Form 62-610.300(3)(a)3 62-610.300(4)(a)3. Requirements for placing the reuse system into operation are contained in Rule 62-620.630, F.A.C. Approval shall be granted if the requirements in Rule 62-620.630, F.A.C., are met.

(b) Requirements for placing reuse and land application systems permitted under Part II, IV, V, VI, or VII of this chapter 62-610, F.A.C., into operation are contained in Rule 62-620.630, F.A.C.

(8) Backup discharge permitting. There are several mechanisms for obtaining permits for surface water discharges which will serve as backup discharges for reuse systems. These include:

(a) The normal procedures for obtaining a surface water discharge permit using the provisions of Chapter 62-650, F.A.C. Upon request, discharge limitations can be developed on a seasonal basis.

(b) The limited wet weather discharge provisions in Rule 62-610.860, F.A.C. This mechanism has potential application for inland projects where the receiving water provides sufficient dilution.

(c) Section 403.086(5), F.S., provides minimum treatment standards for all surface water discharges located within the geographic area specified in Section 403.086(1)(c), F.S. Advanced wastewater treatment is required.

(d) The Florida APRICOT Act, contained in Section 403.086(7), F.S., allows backup discharges anywhere in the state, if the requirements in Section 403.086(7), F.S., are met.

(9) Abnormal Events.

(a) Abnormal events shall be regulated under the “bypass” and “upset” provisions in Rule 62-620.610, F.A.C.

(b) Discharges permitted pursuant to Rule 62-610.860, F.A.C., as a limited wet weather discharge shall not be considered as abnormal events.

(10) Water Management District Coordination.

(a) Domestic wastewater permits issued by the Department shall be consistent with requirements for reuse included in applicable consumptive use permits issued by the water management district, if all of the following conditions are met:

1. The requirements for reuse in the consumptive use permit are consistent with Department rules in this chapter 62-610, F.A.C.

2. through 3. No change.

(b) No change.

(11) For aquifer storage and recovery projects regulated under Rule 62-610.466, F.A.C., and ground water recharge projects regulated under Part V of this chapter 62-610, F.A.C., which require characterization of the ~~total dissolved solids~~

{TDS} concentration of ground water contained in the aquifer receiving reclaimed water, this characterization shall be made at the time of the initial permit application. Normally, this TDS characterization will be based on best available information. If available information is not sufficient to classify a proposed project based on the TDS at the point of injection, an exploratory well program shall be conducted before submittal of the engineering report in order to make a definitive determination of TDS at the point of injection. For injection to G-II ground water, the TDS determination shall be made at the point of injection and will not consider TDS in contiguous ground waters. The TDS determination made at the time of the initial permit application shall remain unchanged, even if the injection of reclaimed water alters the TDS concentration over a period of time.

(12) No change.

(13) The Department encourages utilities implementing reuse projects to meter and charge for the use of reclaimed water as described in Section 403.064(16), F.S.

~~(14) The Department encourages efficient and effective use of reclaimed water featuring relatively high potable quality water offset or recharge fractions as described in Table 5 in the publication entitled, *Water Reuse for Florida: Strategies for Effective Use of Reclaimed Water.*~~

Rulemaking Authority 403.051, 403.061, 403.064, 403.087, 403.0881 FS. Law Implemented 403.021, 403.051, 403.061, 403.064, 403.087, 403.088, 403.0881 FS. History—New 4-2-90, Formerly 17-610.800, Amended 1-9-96, 8-8-99, 11-19-07, ____.

62-610.810 Classification of Projects as “Reuse” or “Disposal.”

(1) No change.

(2) Reuse projects. The following shall be classified as “reuse:”

(a) Slow-rate land application projects with restricted access permitted under Ppart II of this chapter 62-610, F.A.C.

(b) Projects permitted under Ppart III of this chapter 62-610, F.A.C.

(c) Rapid-rate land application systems permitted under Ppart IV of this chapter 62-610, F.A.C., shall be classified as “reuse” for ground water recharge.

(d) Projects making reclaimed water from domestic wastewater sources available for industrial applications, as described in Ppart VII of this chapter 62-610, F.A.C.

(e) Ground water recharge projects permitted under Ppart V of this chapter 62-610, F.A.C.

(f) Indirect potable reuse projects permitted under Ppart V of this chapter 62-610, F.A.C.

(g) No change.

(h) Other uses.

1. Other uses specifically addressed in Ppart III of this chapter 62-610, F.A.C., such as toilet flushing, fire protection,

construction dust control, aesthetic purposes, and recreational uses, shall be classified as “reuse.”

2. Other uses not addressed elsewhere in this chapter 62-610, F.A.C., shall be classified as “reuse” if the applicant provides an affirmative demonstration that reclaimed water will be used for a beneficial purpose or the use of reclaimed water will eliminate the need for use of a potable water or a water that could be used as a source of potable water.

(i) No change

(3) Effluent disposal projects. The following shall be classified as “effluent disposal:”

(a) No change.

(b) Overland flow systems permitted under Ppart VI of this chapter 62-610, F.A.C., unless the final reclaimed water produced by the overland flow system is subsequently used for a beneficial purpose and meets the criteria in subsection 62-610.810(2), F.A.C.

(c) On-site systems permitted by the Department of Health under Cchapter 64E-6, F.A.C., including septic tanks.

(d) No change.

(e) Continuously loaded rapid-rate land application systems or absorption fields, unless they meet the criteria for ground water recharge or indirect potable reuse systems established in subsection 62-610.810(2), F.A.C., or meet the requirements of Rrule 62-610.525, F.A.C.

(f) Rapid-rate land application systems using perimeter drainage features or underdrains which collect and discharge more than 50 percent of the applied reclaimed water, as discussed in Rrule 62-610.517, F.A.C.

(4) Wetlands creation, restoration, or enhancement projects shall be reviewed with each permit renewal. The applicant for permit renewal shall submit with the application for permit renewal documentation that the project continues to function as designed and that the wetlands creation, restoration, or enhancement aspects remain applicable. If the documentation does not provide an affirmative demonstration that the wetlands creation, restoration, and enhancement attributes of the project continue, the Department shall reclassify the project as “effluent disposal” and shall require submittal of an antidegradation demonstration meeting the requirements of Rrules 62-4.242 and 62-302.300, F.A.C.

(5) No change.

Rulemaking Authority 403.051, 403.061, 403.087, 403.0881 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088, 403.0881 FS. History—New 4-2-90, Formerly 17-610.810, Amended 1-9-96, 8-8-99, ____.

62-610.820 Reuse Feasibility Studies.

(1) Reuse feasibility studies are required by the following:

(a) No change.

(b) The Indian River Lagoon system and Basin Act, contained in Cchapter 90-262, Laws of Florida.

(c) The antidegradation policy in ~~R~~rules 62-4.242 and 62-302.300, F.A.C., for new or expanded surface water discharges.

(d) No change.

(2) No change.

(3) Applicants meeting both of the following conditions are not required to submit reuse feasibility studies with permit applications for domestic wastewater facilities:

(a) The only rule or statute that requires preparation of a reuse feasibility study is ~~S~~ection 403.064, F.S.; and,

(b) One of the following conditions exists:

1. through 2. No change

(4) Reuse feasibility studies required by one or more of the items listed in paragraph 62-610.820(1)(a), (b), or (c), F.A.C., when being prepared by or on behalf of a local government or utility which has responsibility for domestic wastewater management, shall be prepared in accordance with paragraph ~~62-610.300(1)(e) 62-610.300(1)(4)~~, F.A.C.

(5) The Department shall approve deviations or modifications from the required format or content specified in paragraph ~~62-610.300(1)(e) 62-610.300(1)(4)~~, F.A.C., for a reuse feasibility study, if the alternative format or study content provides the same level of evaluation as specified in paragraph 62-610.300(1)(l), F.A.C. Some examples of areas of possible deviations or modifications include: alternatives to be evaluated; definitions of the levels of reuse to be evaluated; methods of evaluating rates and fees; allocation of costs to all benefitted parties; consideration of other alternative investments to achieve goals (ASR, conservation, others); methods of valuing water saved, including possible adjustments for periods when water supplies are sufficient without the reclaimed water system; and presentation formats. Multiple types of reuse may be combined to formulate alternatives for evaluation.

(6) through (7) No change.

(8) Subsection 403.064(5), F.S., states that a reuse feasibility study prepared for the Department under subsection 403.064(2), F.S., satisfies a water management district requirement to conduct a reuse feasibility study imposed on a local government or utility that has responsibility for wastewater management. As a result, local governments or utilities located within, serving a population within, or discharging within a designated water resource caution area, which are preparing a reuse feasibility study in response to one or more of the items identified in paragraph 62-610.820(1)(a), (b), or (c), F.A.C., are encouraged, but shall not be required by the Department, to do the following as part of their reuse feasibility study:

(a) No change.

(b) If additional alternatives are identified by the water management district, the applicant is encouraged, but shall not be required by the Department, to evaluate these alternatives

using the methods specified in paragraph ~~62-610.300(1)(e) 62-610.300(1)(4)~~, F.A.C.

(9) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.0877, 403.088 FS. History—New 4-2-90, Formerly 17-610.820, Amended 1-9-96, ____.

62-610.830 Storage Lakes and Ponds.

(1) Lakes, ponds, and other surface waters may be used to store reclaimed water as part of reuse systems permitted under ~~P~~part III of ~~this~~ chapter ~~62-610, F.A.C.~~ Lakes included under this rule include golf course lakes, stormwater ponds, and other lakes or ponds used as decorative features.

(2) If these storage lakes are waters of the state, the discharge into the lakes must be permitted under ~~C~~chapter 62-620, F.A.C. Discharge limits shall be established using the provisions in ~~C~~chapter 62-650, F.A.C. The discharge shall be subject to the requirements of the antidegradation policy in ~~R~~rules 62-4.242 and 62-302.300, F.A.C.

(3) If these storage lakes discharge intermittently or continuously to waters of the state, the discharge into the lakes must be permitted under ~~C~~chapter 62-620, F.A.C. Discharge limits shall be established using the provisions in ~~C~~chapter 62-650, F.A.C. The discharge shall be subject to the requirements of the antidegradation policy in ~~R~~rules 62-4.242 and 62-302.300, F.A.C.

(4) Storage lakes which are part of the stormwater management system.

(a) through (b) No change.

(c) ~~Technology-based effluent limitations (TBELs)~~ shall be imposed on the discharge of reclaimed water to the storage lake. The ~~TBELs TBEL~~ will be established based on the treatment and disinfection requirements in ~~R~~rule 62-610.460, F.A.C.

(d) through (e) No change.

(5) Discharge of reclaimed water to isolated storage lakes which do not discharge to waters of the state do not require a permit under ~~C~~chapter 62-620, F.A.C.

(6) Storage lakes regulated under ~~R~~rule 62-610.830, F.A.C., shall be included in the inventory of storage systems required by subsection 62-610.464(5), F.A.C.

Rulemaking Authority 403.051, 403.061, 403.087, 403.0881 FS. Law Implemented 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881 FS. History—New 4-2-90, Formerly 17-610.830, Amended 1-9-96, 8-8-99, ____.

62-610.850 Protection of Surface Water and Ground Water Quality.

(1) Protection of surface water quality, including springs.

(a) Reuse and land application projects shall not cause or contribute to violations of water quality standards in surface waters and springs.

(b) Projects having point source discharges (e.g., indirect potable reuse projects permitted under Part V and ~~such as~~ overland flow projects permitted under ~~Part VI of this chapter 62-610, F.A.C., and underdrained slow-rate and rapid-rate land application systems~~); shall be subject to all applicable discharge and permitting requirements contained in Department rules, Florida Statutes, and Laws of Florida, including the following:

1. Permitting requirements and effluent or reclaimed water limits in chapter 62-620, F.A.C.
2. Permitting requirements and effluent or reclaimed water limits in chapter 62-600, F.A.C.
3. WQBEL provisions imposed by chapter 62-650, F.A.C.
4. Permitting requirements and effluent or reclaimed water limits imposed by chapter 62-611, F.A.C.
5. Outstanding Florida Waters provisions in chapter 62-302, F.A.C.
6. Effluent or reclaimed water limits imposed by ~~S~~section 403.086(4), F.S., for discharges within the areas identified in ~~S~~section 403.086(1)(c), F.S., and Chapter 2020-150, Laws of Florida.
7. Effluent or reclaimed water limits imposed by ~~C~~chapter 90-262, Laws of Florida, for discharges within the area identified in ~~C~~chapter 90-262, Laws of Florida.

8. Florida Springs and Aquifer Protection Act provisions in Sections 373.801-373.813, F.S.

~~9.8.~~ Compliance with water quality standards established in chapter 62-302, F.A.C.

~~10.9.~~ Compliance with the antidegradation policy contained in chapters 62-4 and 62-302, F.A.C.

(c) Ground water discharges from reuse or land application projects which flow by interflow and affect water quality in surface waters shall not cause or contribute to violations of water quality standards in surface waters and springs.

(d) The engineering report shall provide reasonable assurances that applicable surface water quality standards for surface waters and springs contained in chapter 62-302, F.A.C., will be met. If water quality standards cannot be met, additional treatment or disinfection shall be provided or other operational control measures shall be implemented.

(e) If the applicant is unable to provide reasonable assurances in the engineering report that the applicable water quality standards will be met, the applicant shall do the following in the engineering report:

1. Propose additional treatment or disinfection or other operational controls designed to ensure compliance with the water quality standards.

2. Provide reasonable assurances that the additional treatment or disinfection or other operational control measures will ensure compliance with the water quality standards.

(2) Protection of Ground Water Quality.

(a) Reuse and land application projects shall be designed and operated to ensure compliance with ground water quality standards contained in Cchapter 62-520, F.A.C.

(b) No change.

(c) If the applicant is unable to provide reasonable assurances in the engineering report that the minimum preapplication treatment and disinfection requirements contained in this chapter 62-610, F.A.C., are sufficient to ensure compliance with the ground water quality standards, the applicant shall do the following in the engineering report:

1. through 2. No change.

Rulemaking Authority 403.051, 403.061, 403.087, 403.0881 FS. Law Implemented 403.021, 403.051, 403.061, 403.087, 403.088, 403.0881 FS. History—New 4-2-90, Formerly 17-610.850, Amended 1-9-96, 62-610.860 Limited Wet Weather Discharge.

62-610.860 Limited Wet Weather Discharge.

(1) No change.

(2) An applicant requesting a permit for a limited wet weather discharge shall include the following information in the engineering report:

(a) through (f) No change

(g) Calculation of the required minimum stream dilution factor as follows:

SDF	=	$P(0.085 \text{ CBOD5} + 0.272 \text{ TKN} - 0.484)$
Where:		
SDF	=	minimum required stream dilution factor (dimensionless),
P	=	percent of the days of the year that limited wet weather discharge will occur during an average rainfall year (e.g. if discharge will occur on 73 days; $P = 100\% \times (73/365) = 20$; if P is less than 1, use $P = 1$),
CBOD5	=	the treatment facility's design monthly maximum limitation for CBOD5 in <u>mg/L milligrams per liter,</u>
TKN	=	the treatment facility's design monthly maximum limitation for TKN expressed in <u>mg/L milligrams per liter</u> of nitrogen.

(h) Documentation required by the antidegradation policy in ~~R~~ules 62-4.242 and 62-302.300, F.A.C., if the limited wet weather discharge will be a new or expanded surface water discharge.

(i) No change.

(3) Limited wet weather discharge for a reuse project shall be permitted without the need for a WQBEL or other water quality analyses only if all of the following requirements are met:

(a) through (d) No change.

(e) The reuse system is a slow-rate land application system regulated by ~~P~~part II or III of this chapter 62-610, F.A.C.

(4) through (6) No change.

(7) A stream gauging station shall be furnished at a point upstream of the discharge point. In cases where stream gauging is not possible, the applicant shall provide an affirmative demonstration that alternative means of measuring or estimating flows and dilution provide reasonable assurances that the dilution requirements in Rule 62-610.860, F.A.C., will be met during periods of discharge.

(8) through (13) No change.

(14) A limited wet weather discharge is not an emergency discharge pursuant to this chapter 62-610, F.A.C. ~~A limited wet weather discharge is not an abnormal event pursuant to rules 62-600.750 and 62-610.880, F.A.C.~~

(15) No change

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 4-2-90, Formerly 17-610.860, Amended 1-9-96,_____.

62-610.865 Blending of Demineralization Concentrate with Reclaimed Water.

(1) through (2) No change.

(3) Demineralization concentrate may be blended with reclaimed water which will be used in reuse systems regulated under Parts II, III, IV, and VII of this chapter 62-610, F.A.C., if all of the requirements of Rule 62-610.865, F.A.C., and the appropriate parts part of this chapter 62-610, F.A.C., are met.

(4) Permittees wishing to blend demineralization concentrate with reclaimed water are urged to proceed cautiously. Concentrate typically contains elevated concentrations of dissolved solids and inorganic constituents, which normally are not removed from the reclaimed water as it travels through the unsaturated or saturated zones beneath the Earth's surface. As a result, the ability of a reuse or land application project to meet ground water quality criteria at the edge of the zone of discharge shall be addressed in the engineering report. Elevated concentrations of dissolved solids and salts may harm sensitive vegetation being grown on the reuse or land application site and may decrease the hydraulic capacity of reuse and land application sites, especially where reclaimed water will be used to irrigate landscape areas and edible food crops, as allowed by Part III of this chapter 62-610, F.A.C.

(5) Engineering report.

(a) The engineering report shall provide reasonable assurances that ground water criteria contained in Chapter 62-520, F.A.C., will be met at the edge of the zone of discharge.

(b) through (g) No change.

(6) Demineralization concentrate, reclaimed water, and blend quality.

(a) No change

(b) The reclaimed water shall meet all requirements of the appropriate part of this chapter 62-610, F.A.C., at a point upstream from the addition of the concentrate.

(c) The blend shall meet all requirements of the appropriate part of this chapter 62-610, F.A.C., at the point where it is introduced into the reclaimed water conveyance or distribution system.

(d) No change.

(7) Permitting.

(a) through (d) No change.

(e) Adding concentrate to the reclaimed water at an existing domestic wastewater facility and reuse system shall be considered as a modification which will subject the reuse facilities to the requirements of this chapter 62-610, F.A.C.

(8) Monitoring.

(a) Reclaimed water shall be monitored as required by the appropriate part of this chapter 62-610, F.A.C. Monitoring requirements in Chapter 62-600 62-604, F.A.C., shall apply.

(b) through (c) no change.

(d) Continuous monitoring equipment shall be equipped with an automated data logging or recording device. Continuous monitoring equipment shall be maintained according to the manufacturer's operation and maintenance instructions. Continuous monitoring equipment shall be calibrated according to the requirements of Chapters 62-160 and 62-600-62-604, F.A.C.

(e) The blend shall be monitored as required by the appropriate part of this chapter 62-610, F.A.C. Monitoring requirements in Chapter 62-600-62-604, F.A.C., shall apply to the blend. Total suspended solids, fluoride, total dissolved solids, chlorides, pH, and sodium adsorption ratio shall be monitored weekly in the blend. Additional parameters to be sampled and analyzed for in the blend on a weekly basis shall be established in the permit based on characterization of the concentrate and the blend contained in the engineering report. After the first year of operation, the Department shall reduce the sampling frequency if the applicant provides an affirmative demonstration that ground water standards will be met and that site vegetation and public health will be protected.

(f) An annual scan of the parameters listed as primary and secondary drinking water standards in Chapter 62-550, F.A.C. (except for asbestos turbidity, total coliforms, color, odor and residual disinfectants corrosivity), shall be accomplished for the reclaimed water, ~~the concentrate~~, and the blend.

1. Results of the scan shall be reported on DMR Form 62-620.910(10). DMR forms shall be electronically submitted to the Department by January 28 using the DEP Business Portal at <http://www.fldepportal.com/go/>.

2. Approved analytical methods identified in paragraph 62-620.100(3)(j), F.A.C., shall be used for analysis. If no method

is included for a parameter, methods specified in Chapter 62-550, F.A.C., shall be used.

3. After the first year, the Department shall reduce the parameters to be reported in the annual scan if the applicant provides an affirmative demonstration that ground water standards will be met and that site vegetation and public health will be protected. At a minimum, when an application for permit renewal is submitted, ~~least once during each permit cycle,~~ the full list of parameters listed as primary and secondary drinking water parameters, ~~except for the exceptions listed in subsection 62-610.865(8)(f), F.A.C.,~~ shall be reported for the reclaimed water and the blend and submitted with the permit application.

(9) Operating protocol.

(a) In accordance with ~~R~~ule 62-610.320, F.A.C., the domestic wastewater permittee shall establish an operating protocol for the blending. This operating protocol shall contain procedures designed to ensure that only acceptable quality blend water is released to the reuse system. The acceptability of the reclaimed water will be based on factors addressed in the engineering report, as described in subsection 62-610.865(5), F.A.C., such that protection of public health, environmental quality, and site vegetation will be assured. The two key parameters to be used in making continuous judgments of the acceptability of the blend are the blend ratio and the specific conductance.

(b) Reuse projects regulated under ~~P~~part III of ~~this~~ chapter 62-610, F.A.C., will have an additional operating protocol for operation of the domestic wastewater treatment facility, as described in ~~R~~ule 62-610.463, F.A.C. The permittee may combine the two operating protocols into a single document.

(10) through (12) No change.

(13) Demineralization concentrate may be discharged into the sanitary sewerage system.

(a) All of the following conditions shall be met:

1. The resulting mixture of concentrate and domestic wastewater receives the full level of treatment required by the part of ~~this~~ chapter 62-610, F.A.C., which regulates the reuse system.

2. through 6. No change.

(b) No change.

Rulemaking Authority 403.051, 403.061, 403.087 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088 FS. History—New 8-8-99,_____.

62-610.870 Reporting and Enforcement.

(1) Reporting and enforcement procedures shall be pursuant to ~~C~~hapters ~~62-600~~ 62-601 and 62-620, ~~and rule 62-600.740,~~ F.A.C.

(2) For facilities having an approved limited wet weather discharge, reporting and enforcement requirements are specified in ~~R~~ule 62-610.860, F.A.C.

(3) Annual Reuse Report.

(a) Permittees having responsibility for domestic wastewater treatment facilities (new and existing) having permitted capacities of at least 0.1 mgd that discharge all or part of their reclaimed water to reuse systems permitted under ~~this~~ chapter 62-610, F.A.C., shall submit an annual report to the ~~Department and the~~ appropriate water management ~~Department~~ district ~~office.~~ This reporting requirement also applies to all permittees responsible for operation of reuse authorities. Domestic wastewater permits issued by the Department identify portions of domestic wastewater projects that are categorized as “reuse.” The report shall be electronically submitted annually on or before January 1 of each year in accordance with Form 62-610.300(3)(a)2, F.A.C. One copy of the annual report shall be submitted to each of the following addresses:

~~1. Florida Department of Environmental Protection, Reuse Coordinator, Mail Station 3540, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.~~

~~2. The appropriate Department of Environmental Protection district office.~~

~~3. The appropriate water management district.~~

~~(b) The annual report shall be delivered or mailed to these addresses on or before January 1 of each year.~~

~~(c) through (d) renumbered (b) through (c) No change.~~

~~(e) Form 62-610.300(4)(a)2. shall be used for these annual reports.~~

~~(d)(f) Permittees shall attach their inventory of storage facilities, as required by ~~R~~ules 62-610.464 and 62-610.830, F.A.C., to the annual reuse report.~~

~~(e)(g) Permittees making reclaimed water available for activities regulated by ~~P~~part III of ~~this~~ chapter 62-610, F.A.C., shall attach a summary of their public notification program (including copies of public notification materials), as required by subsection 62-610.468(6), F.A.C., to the annual reuse report.~~

~~(f)(h) Permittees making reclaimed water available for activities listed in subsection 62-610.800(13), F.A.C., shall attach a summary of the utility’s metering activities and the rate structure that the utility currently employs or plans to employ, as required by subsection 62-610.800(13), F.A.C., and ~~S~~ection 403.064(16), F.S., to the annual reuse report.~~

Rulemaking Authority 403.051, 403.061, 403.064, 403.087, 403.0881 FS. Law Implemented 403.021, 403.051, 403.061, 403.062, 403.064, 403.085, 403.086, 403.087, 403.088, 403.0881 FS. History—New 4-2-90, Formerly 17-610.870, Amended 1-9-96, 8-8-99, 11-19-07,_____.

62-610.890 General Permit for Adding New Major Users to a Part III Reuse System.

(1) A general permit is hereby granted to a permittee whose permit includes a reuse system for the addition of a new major

user of reclaimed water (using 0.1 mgd or more, as an annual average), provided that:

(a) Notice to the Department under subsection 62-4.530(1), F.A.C., is submitted on Form ~~62-610.300(3)(a)1-62-610.300(4)(a)1-~~; and,

(b) The reuse system is permitted under Part III of this chapter 62-610, F.A.C.; and,

(c) through (e) No change.

(f) Reclaimed water will be used by the major user in accordance with this chapter for an activity allowed by Part III or part VII of this chapter.

(2) The notice to the Department of the permittee's intent to use this general permit requires certification by a professional engineer registered in the State of Florida and the applicant on Form ~~62-610.300(3)(a)1-62-610.300(4)(a)1-~~

Rulemaking Authority 403.814(1) FS. Law Implemented 403.061, 403.087, 403.088, 403.814 FS. History--New 4-2-90, Formerly 17-610.890, Amended 1-9-96, 8-8-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Alexandra Spencer, Senior Program Analyst, Wastewater Management Program

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Noah Valenstein, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 23, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 5, 2020

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-2.004
RULE TITLE: Professional Employment Experience

PURPOSE AND EFFECT: The Board proposes to incorporate revised applications for supplementary evaluations for every three months of the professional employment experience and the supervisory report for provisional licensees.

SUMMARY: The proposed rule incorporates revised applications.

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 concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board 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: 468.1135(4) FS.

LAW IMPLEMENTED: 468.1165 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: Kama Monroe, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-2.004 Professional Employment Experience.

(1) through (2) No change.

(3) During the professional employment experience required by Section 468.1165, F.S., the monitoring licensee shall evaluate the provisional speech-language pathology or audiology licensee each three (3) months of the provisional period separately. The monitoring licensee shall record the evaluation on Form SPA-2B, Supplementary Evaluations for Every Three Months ~~Each One Third~~ of the Professional Employment Experience, which is incorporated by reference herein, revised effective (06/2020 ~~March 25, 1994). and can be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, or the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256 or at http://floridasspeechaudiology.gov/resources/. These evaluations shall be included with the final supervisory report, Form SPA-2C, Supervisory Report for Provisional Licensees, which is incorporated by reference herein, revised effective (06/2020 ~~March 25, 1994). and can be obtained from http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, or the Board of Speech-Language Pathology and Audiology,~~~~

Department of Health, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256 or at <http://floridasspeechaudiology.gov/resources/>. For monitors of provisional audiology licensees, a separate evaluation must be completed during the final two (2) months of the professional employment experience. All evaluation forms as well as the final supervisory report shall be submitted to the Department within thirty (30) days of the completion of the professional employment experience. For the purpose of this section, nine (9) months of full-time professional employment is equivalent to thirty (30) hours per week for thirty-six (36) weeks. For purposes of this section, part-time professional employment is equivalent to a minimum of fifteen (15) hours per week for seventy-two (72) weeks. The forms incorporated by reference in this paragraph can be obtained from and the reports shall be sent to the Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256.

(4) through (5) No change.

Rulemaking Authority 468.1135(4) FS. Law Implemented 468.1165 FS. History—New 3-14-91, Formerly 21LL-2.004, 61F14-2.004, Amended 9-26-95, Formerly 59BB-2.004, Amended 9-17-00, 2-14-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Speech-Language Pathology and Audiology

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 25, 2020

NAVIGATION DISTRICTS

West Coast Inland Navigation District

RULE NOS.:	RULE TITLES:
66A-2.001	Purpose
66A-2.0011	Scope
66A-2.002	Definitions
66A-2.003	Policy
66A-2.004	Application Requirements
66A-2.0041	Disaster Relief Projects
66A-2.005	Project Eligibility
66A-2.0051	Public Navigation Projects
66A-2.0052	Boater Recreation Projects
66A-2.0053	Environmental Education Projects
66A-2.0054	Boater Safety and Education Projects
66A-2.0055	Marine Law Enforcement Projects
66A-2.006	Project Design Criteria
66A-2.007	Funding Conditions
66A-2.0071	Real Property Acquisitions
66A-2.0072	Project Administration
66A-2.008	Accountability
66A-2.009	Acknowledgment

PURPOSE AND EFFECT: The proposed amendments to this Rule Chapter are a comprehensive update to the Waterway Development Program (the “Program”), which was last amended in 1994. The Program is a financial assistance program that provides funding to its member counties for the costs of waterway projects that are intended to alleviate problems associated with the West Coast Inland Navigation District’s (“District”) waterways. The effect of the comprehensive update will ensure consistency with statutory authority under s. 374.976, F.S., and incorporate the District’s current policy and procedures for obtaining financial assistance under the Program.

SUMMARY: The proposed amendments to this Rule Chapter include revisions that: add new definitions and forms; clarify the rule provisions for project applications, eligibility, administration and accountability; include new sections on Scope, Forms, Disaster Relief Projects, Real Property Acquisitions, and Acknowledgment; include new sections specific to funding eligibility for Public Navigation Projects, Boater Recreation Projects, Environmental Education Projects, Boater Safety and Education Projects and Marine Law Enforcement Projects.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the

statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed amendments are not regulatory in nature, and therefore do not impose any costs.

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: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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: Justin D. McBride, Executive Director, 200 E. Miami Avenue, Venice, FL 34285, (941)485-9402, justin@wcind.net

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 66A-2.001, F.A.C. follows. See Florida Administrative Code for present text

66A-2.001 Purpose.

Pursuant to Section 374.976, F.S., the West Coast Inland Navigation District (WCIND) is authorized to undertake additional programs intended to alleviate the problems associated with its waterways. The purpose of this Rule Chapter is to set forth WCIND's policies and procedures implementing such program, which shall be known hereafter as WCIND'S Waterway Development Program (WDP or the Program).

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 11-11-90, Formerly 16S-2.001, Amended, _____.

66A-2.0011 Scope.

The provisions of this Rule Chapter implement the additional programs intended to alleviate problems associated with WCIND's waterways under Section 374.976, F.S. Nothing herein shall be construed to limit WCIND's authority to administer programs under its codified special act charter in Chapter 98-526, Laws of Florida, or otherwise restrict any other powers granted to WCIND thereunder.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

Substantial rewording of Rule 66A-2.002, F.A.C. follows. See Florida Administrative Code for present text

66A-2.002 Definitions.

The terms used in this Rule Chapter are defined as follows:

(1) “Acquisition” means the act of obtaining with Program funds equipment, intangible property, supplies, real

property, activities and services necessary to plan and carry out a project under this rule.

(2) “Application” means a member county's formal request for Program funds on the specified form with required supporting documentation.

(3) “Board” means the Board of Commissioners of WCIND.

(4) “Budget-Cycle Funding” or “Budget-Cycle” means the time period between January 1st and June 15th when project applications may be submitted to WCIND for approval and appropriation of project funds by the Board during the TRIM hearing or budget approval process for the upcoming fiscal year beginning on October 1st.

(5) “Capital Improvement” means the addition, improvement, modification or alteration of real property that materially increases its value or useful life.

(6) “Construction” means the carrying out of any altering, building, clearing, demolishing, dredging, excavating, filling and related activities of any facility or real property.

(7) “County Navigation Improvement Fund” or “CNIF” means the total unencumbered balances of reserve funds assigned to each member county in an adopted budget. Each member county CNIF reserve fund balance available is its unexpended proportional share of ad valorem tax revenues carried over from past fiscal years, including excess funds from completed projects, plus such unobligated revenues from the current fiscal year.

(8) “Development” in the context of capital improvements, means the act of physically improving real property or facilities thereon to increase its ability or capacity to serve waterway related purposes. In the context of intellectual property, “development” refers to the systematic use of scientific and technical knowledge in the design, testing, or evaluation of a potential new product or service (or of an improvement in an existing product or service) to meet specific performance requirements or objectives.

(9) “Equipment” means non-consumable and nonexpendable, tangible personal property having a per-unit cost of \$5,000 or more and a useful life beyond one year.

(10) “Executive Director” means the Executive Director of the WCIND.

(11) “Extension” means to increase the size or capacity or make an addition to an existing facility. In the context of time, “extension” refers to the additional time granted to a member county to complete a project agreement or satisfy a condition or requirement under this Rule Chapter.

(12) “Facility” means all or any portion of a capital improvement established to be used exclusively for purposes directly related to WCIND waterways as set forth in this Rule Chapter.

(13) “Fiscal Year” means WCIND fiscal year, October 1st – September 30th.

(14) “In-Kind Contribution” means the value of a non-cash contribution provided by a member county or third-party to meet a project’s match funding requirement.

(15) “Intangible Property” means property having no physical existence such as trademarks, copyrights, or patents, having a per-unit cost of \$5,000 or more and a useful life beyond one year.

(16) “Intellectual Property” means a copyrightable intangible property that was developed with Program funds, or for which ownership was acquired with Program funds.

(17) “Liaison Agent” means the person officially designated by a member county who is authorized to act on its behalf on matters related to participation in the Program.

(18) “Maintenance” means the activities necessary to keep facilities or equipment in a condition to serve their intended purposes. Maintenance activities include routine, recurring custodial services, minor repairs and other non-routine actions which occur on a less frequent basis through any give fiscal year.

(19) “Marine Law Enforcement” means law enforcement activities performed on WCIND waterways by any of the following: county sheriffs and their deputies; municipal police officers; or law enforcement officers, part-time law enforcement officers and auxiliary law enforcement officers as defined by Section 943.10, F.S.

(20) “Marine Fire Service” means fire suppression and prevention activities and related rescue response activities for the protection of life and property performed on WCIND waterways by a county, municipality, sheriff or special district. Marine fire service may be performed in conjunction with marine emergency medical services where the marine fire service provider is licensed to perform the same under Chapter 401, F.S.

(21) “Match” means the value of cash, pre-agreement costs or in-kind contributions provided by a member county or third-party to pay its share of the project costs as required by this Rule Chapter.

(22) “Member County” means a county located within the taxing boundaries of the WCIND.

(23) “Net Ad Valorem Revenue” means WCIND’s estimated net ad valorem revenues as adopted in its annual budget and calculated from subtracting applicable property appraiser and tax collector fees from the estimated ad valorem revenue.

(24) “Off Funding Cycle” or “Off-Cycle” means the time outside of the TRIM hearing or budget approval process when project applications may be submitted to WCIND for approval and appropriation of CNIF reserve funds by the Board at a regularly scheduled meeting.

(25) “Operations” means the activities necessary for facilities or equipment to function and produce desired results on a daily or frequent basis. Where appropriate context applies, operations means activities necessary to properly conduct marine law enforcement or boating safety and environmental education programs.

(26) “Overhaul” means the repair, rebuild and recondition of equipment at or near the end of the equipment’s useful life that results in a new useful life of the equipment that is consistent with the extent of the overhaul.

(27) “Planning” means project planning phase activities, including feasibility analysis, design, studies, and other tasks required to prepare plans for eligible projects prior to construction, including environmental review, permitting and compliance tasks, and architectural, survey and engineering studies.

(28) “Post-Construction” means the monitoring, collection and analysis of physical or biological data, or similar activities required by state or federal permits on an annual or periodic basis following the completion of the project’s construction phase.

(29) “Primary Facility” means any facility which could stand alone and carry out its project purpose to relate directly to WCIND waterways, without a support facility.

(30) “Project” means a planned undertaking which includes one or more activities that have a common purpose that relates directly to WCIND waterways.

(31) “Project Agreement” means an executed contract between WCIND and a member county setting forth the terms and conditions of funding an approved Program project.

(32) “Real Property” means all lands, including improvements and fixtures thereon and property of any nature appurtenant thereto or used in connection therewith, and every estate, interest, and right, legal or equitable, therein.

(33) “Reconstruction” means the act of constructing a previously existing facility again, which was demolished or destroyed in whole or in part by fire, casualty or natural disaster.

(34) “Regional and Administrative Efforts” means the regional and administrative expenses and contingencies budgeted annually for the purposes of providing the requisite local cooperation for the construction, maintenance and operation of the Gulf Intracoastal Waterway in accordance with Chapter 98-526, Laws of Florida. Regional and administrative efforts are budgeted and funded from the annual net ad valorem revenue in proportion to each member county’s share of the same.

(35) “Specialized Instruction” means the act or practice of teaching a particular skill necessary to boat more safely or protect the marine environment or advising and informing students in a manner that develops an awareness of boating safety or waterway environments, and is performed on WCIND

waterways. Specialized instruction is specific and exclusive to the boater safety or environmental education curriculum and is not included under member county or third-party operator salaries.

(36) “Supplies” means all materials, fabricated parts and other items of tangible personal property other than equipment as defined above.

(37) “Support Facility” means a facility which could not stand alone and carry out its project purpose to relate directly to the waterways without the primary facility.

(38) “Third-Party Operator” means a local government or other entity which is provided Program funds under written contract with a member county to carry out all or part of an approved project in accordance with the project agreement.

(39) “TRIM Hearings” means the public hearings required by the Truth in Millage Act as codified in Chapter 200, F.S., to adopt WCIND’s annual ad valorem tax millage rate and budget.

(40) “Upgrade” means improvements to equipment that are intended to materially improve its functional use or heighten the capabilities of its intended use. This term does not include overhauls of equipment.

(41) “Waterway Related Environmental Issues” means: the physical and biological impacts of waterway construction, maintenance, and operation, and related restoration and enhancement activities; the role of waterways within watershed ecosystems, watershed structure and functions, and the value and benefits of healthy watersheds; ecofriendly boating practices and the balance of the recreational, economic, and scenic values of such waters.

(42) “WCIND’s Interest” means the interest that WCIND holds in any tangible or intangible property acquired with Program funds based upon WCIND’s share in the costs of the original acquisition.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 11-11-90, Formerly 16S-2.002, Amended, _____.

Substantial rewording of Rule 66A-2.003, F.A.C. follows. See Florida Administrative Code for present text

66A-2.003 Policy.

The following constitutes WCIND’s policy pertaining to the administration of the additional programs undertaken pursuant to Section 374.976, F.S.:

(1) Waterway Development Program. This Program is established to alleviate problems associated with WCIND waterways and is implemented through member county projects directly addressing such problems related to navigability, recreational boater access, boater safety and the marine environment. Financial assistance may be furnished to member counties for the costs of planning and carrying out projects that

meet the purposes of one or more of the following project categories:

(a) Public Navigation. The purpose of this project category is to benefit or enhance public navigation within WCIND.

(b) Boater Recreation. The purpose of this project category is to benefit or enhance access to WCIND waterways for recreational boaters.

(c) Environmental Education. The purpose of this project category is to benefit or enhance the marine environment in WCIND waterways and increase public awareness and knowledge of waterway related environmental issues.

(d) Boating Safety and Education. The purpose of this project category is to benefit or enhance safety on WCIND waterways and increase awareness and knowledge of safe boating practices and waterway regulations among WCIND’s boating public.

(e) Marine Law Enforcement. The purpose of this project category is to benefit or enhance law enforcement on WCIND waterways for better protection of the boating public’s health and safety and welfare, and the marine environment.

(2) Project Application and Approval. Member counties shall submit requests for funding to WCIND for each project on Form No. 1, “Funding Application,” effective _____, which is incorporated herein by reference and available from <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, in accordance with the requirements set forth in subsection 66A-2.004, F.A.C. The Board may approve applications complying with the provisions of this Rule Chapter and fund projects during annual budget-cycles or off-cycles.

(3) Project Agreement. Prior to reimbursement of funds for eligible project costs, the member county shall enter into a specified written project agreement with WCIND, Form No. 2, “Waterway Development Project Agreement,” effective _____, which is incorporated herein by reference and available from <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(4) Budget-Cycle Funding: Each fiscal year, the Board will allocate Program funds during the annual budget process based upon WCIND’s overall goals, priorities, fiscal responsibilities, and operational needs for the upcoming fiscal year. Funds available to each member county will be their proportional balances for county specific projects as allocated in any fiscal year budget. County specific project funds are calculated by subtracting WCIND’s regional and administrative costs from net ad valorem tax revenue then adding any unused CNIF carried over from the prior fiscal year. Budget-cycle funding shall be available in the following Program Area match ratios and allocation limits:

<u>Waterway Development Projects Funding Match Ratios and Allocation Limits</u>

<u>Project Category</u>	<u>Match</u>	<u>Limits</u>
<u>Public Navigation</u>	<u>No Match</u>	<u>Up to 100%</u>
<u>Boater Recreation</u>	<u>50%</u>	<u>Up to 100%</u>
<u>Boating Safety and Education</u>	<u>50%</u>	<u>Up to 100%</u>
<u>Marine Law Enforcement</u>	<u>No Match</u>	<u>Up to 35%*</u>
<u>Environmental Education</u>	<u>No Match</u>	<u>Up to 25%*</u>

* A waiver of the 35% and 25% limits may be requested and granted by the Board in consideration of a member county's needs and priorities. Such requests shall be indicated on Form No. 1, "Funding Application", submitted pursuant to subsection 66A-2.004, F.A.C.

(5) Off-Cycle Funding. During off-cycle funding of any remaining fiscal year, the Board may fund additional county specific projects from the available CNIF reserve fund balances assigned to each member county. Off-cycle funding is intended to provide member counties with the flexibility to timely plan and carry out projects when local needs, priorities or opportunities arise outside of the budget-cycle application process. Off-cycle funding shall be subject to the same Program area match ratios and allocation percentage limits in the above table as applied to the member county's total available CNIF reserve fund balances at the time of the request, unless otherwise waived by the Board.

(6) Interlocal Agreements. WCIND may provide financial assistance, support or cooperation for projects that benefit or enhance public navigation and have multiple funding partners, including the U.S. Army Corps of Engineers, through an interlocal agreement pursuant to Chapter 163 or Section 374.976, F.S. WCIND staff will identify these projects and present them to the Board for approval during budget-cycles or off-cycles. With exception to the three-year funding encumbrance limit set forth in Section 374.976(2), F.S., interlocal agreement projects shall not be subject to the provisions of this Rule Chapter unless a member county is a party to an interlocal agreement and receives Program funds during any budget-cycle or off-cycle. In such instances, a member county shall only be subject to the three-year funding encumbrance limit, the matching funds requirements and the proportional share funding limits set forth in Sections 374.976(2) and (3), F.S.

(7) Non-Compliance. WCIND may terminate a project agreement and demand return of Program funds disbursed to member county or other remedial action for non-compliance with any of the terms of the project agreement or this Rule Chapter, if such non-compliance calls into question the ability of the member county or third-party operator to complete the project. Failure of a member county or third-party operator to comply with the provisions of this Rule Chapter or the project

agreement may result in WCIND declaring the member county or third-party operator ineligible for further participation in the Program until such time as the non-compliance has been remedied to the satisfaction of the Board.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 11-11-90, Formerly 16S-2.003, Amended, _____.

Substantial rewording of Rule 66A-2.004, F.A.C. follows. See Florida Administrative Code for present text

66A-2.004 Application Requirements.

All member county requests for Program funds shall be submitted in accordance with the following application requirements:

(1) Budget-Cycle Funding Applications. Member counties shall submit a completed Form No. 1, "Funding Application," which is incorporated by reference in subsection 66A-2.003(2) F.A.C., for each budget-cycle funding request with supporting documents and an official Board of County Commissioners resolution approving such applications from January 1st through June 15th of each year to be considered at the Board's TRIM hearings and funding approval for the following fiscal year. Applications which are not received in WCIND's headquarters in paper or electronic format by 4:00 p.m. on June 15th of each year may be rejected from consideration at the TRIM hearings.

(2) Off-Cycle Funding Applications. Member counties shall submit a completed Form No. 1, "Funding Application," which is incorporated by reference in subsection 66A-2.003(2), F.A.C., for each off-cycle funding request no less than thirty (30) days prior to the next regularly scheduled meeting to be considered for funding approval by the Board. Applications which are not received in WCIND's headquarters in paper or electronic format by such date, may be rejected from consideration at the next regularly scheduled Board meeting. Supporting documents and an official Board of County Commissioners resolution approving the application need not be submitted with the completed application but must be submitted prior to the Board's consideration at its next regularly scheduled meeting.

(3) WCIND shall review all applications for compliance with this Rule Chapter and Section 374.976, F.S., and may reject those that are found non-compliant. Additionally, WCIND may reject applications from member counties which have previously been found non-compliant with the provisions of this Rule Chapter or the terms of a previous project agreement pursuant to subsection 66A-2.003(7), F.A.C.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 11-11-90, Formerly 16S-2.004, Amended, _____.

66A-2.0041 Disaster Relief Projects.

At a regular or special meeting, the Board may waive the requirements of this Rule Chapter and funding limitations in Section 374.976(3), F.S., to approve and fund disaster relief projects in member counties recovering from a storm event or natural disaster resulting in a state of emergency declared under Chapter 252, F.S. Disaster relief projects approved by the Board shall be distributed under a project agreement and be subject to the remaining conditions in Section 374.976, F.S. Member counties must submit funding requests for disaster relief projects along with a waiver request, if necessary, to WCIND on Form No. 1, "Funding Application", which is incorporated by reference in subsection 66A-2.003(2), F.A.C. prior to the Board's consideration at its regular or special meeting.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

Substantial rewording of Rule 66A-2.005, F.A.C. follows. See Florida Administrative Code for present text
66A-2.005 Project Eligibility.

Eligible project costs are only those costs associated with the specific types of projects and activities listed in Sections 66A-2.20051 through 66A-2.0055, F.A.C., for each project category, as long as the expenditures incurred by the member county are reasonable and necessary for the performance of an approved project. A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. The following provisions set forth the general eligibility requirements of the Program.

(1) Ineligible Activities or Costs. Unless otherwise allowed by the eligibility requirements within a project category, the following costs are prohibited from Program funding or use as match funding:

(a) Indirect, contingencies, miscellaneous, or reoccurring personnel related costs;

(b) Member county in-house labor or other costs related to compensating employees, including salaries and wages, and fringe benefits costs;

(c) Operational, maintenance and administrative, utility, rent, taxes and insurance costs;

(d) Expenditures for equipment, materials and supplies, or services not used exclusively for an approved project;

(e) Expenditures for vehicles or overland transportation services;

(f) Expenditures for enclosed buildings or structures; and

(g) Civil air patrols.

(2) Match Funds: Applications for projects requiring matching funds shall clearly identify and enumerate the amount

and source. Upon verification from the member county's records, the following sources may be utilized for match funds:

(a) Cash;

(b) Costs for preliminary plans incurred without WCIND financial assistance prior to a project's approval by the Board;

(c) Pre-agreement costs for real property acquisitions as described in subsection 66A-2.0071(3), F.A.C.

(d) In-kind Contributions. The value of the following in-kind contributions may be used as match funds:

1. Volunteer Services or Labor. Volunteer services or labor furnished by third-party professional and technical personnel, consultants, and other skilled and unskilled labor if the service is an integral and necessary part of an approved project and used exclusively for the project's purposes. Rates for third-party volunteer services must be consistent with those paid for similar work by the member county. In those instances, in which the required skills are not found in the member county, rates must be consistent with those paid for similar work in the labor market in which the member county competes for the kind of services involved. Unless otherwise agreed to, rates for third-party volunteer services shall be determined by the U.S. Bureau of Labor Statistics State Occupational Employment and Wage Estimates report for Florida at the time of the application;

2. Equipment and Supplies. Equipment and supplies acquired without WCIND financial assistance during the duration of the project where such equipment and supplies are an integral and necessary part of an approved project and used exclusively for the project's purposes. The value of contributed equipment and supplies shall be based upon a receipt or equivalent documentation showing the actual purchase price or current value.

3. Real Property Value. The current fair market value of a project site acquired without WCIND financial assistance shall be based upon an appraisal dated no earlier than one year prior to the submission of the application. In lieu of obtaining an appraisal to establish the site's fair market value, a member county may use the assessed value of the project site supported by documentation of the current assessed value from the respective County Property Appraiser.

(3) Phasing of Projects. Applications may be submitted as a phased project with up to three phases, where Phase I includes the real property acquisition, Phase II includes the design, engineering and permitting activities, and Phase III includes the construction of the project. The description of the Phase II and III work shall be submitted along with the Phase I application for Board review.

(4) Eligibility Determination. Applications received by the application submission deadline will be reviewed by the Executive Director or his or her designee for project eligibility and compliance with this Rule Chapter. No additional information shall be accepted after the application submission

deadline, unless specifically requested by the Executive Director for clarification of information provided in the application received by the published application submission deadline.

(5) The Executive Director will make recommendations for approval or denial of the project applications during the TRIM hearings or regular meeting, whichever is applicable.

(6) The Board will make all final decisions on the eligibility of a project or specific allowable project costs during the TRIM Hearings or regular meeting, whichever is applicable. Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 11-11-90, Formerly 16S-2.005, Amended 8-15-94, _____.

66A-2.0051 Public Navigation Projects.

(1) Public Navigation Facilities. Program funds may be used to pay direct costs incurred in connection with capital improvements resulting in public navigation facilities, including the cost of acquisition, planning, development, construction, reconstruction, extension, post-construction, operation, maintenance and related activities. Eligible public navigation facilities include:

(a) Primary Facilities.

1. Public navigation channels;
2. Spoil material disposal areas;
3. Inlet management projects approved by the Board pursuant to Section 374.976(1)(b), F.S.;
4. Public navigation channel markers or other aids to navigation, including, but not limited to, signs, symbols, beacons, buoys, or lights; and
5. Other primary facilities as determined by the Board to benefit or enhance public navigation.

(2) Public Navigation Equipment. Program funds may be used to pay direct costs incurred in connection with enhancing waterway operation or maintenance capabilities, including acquisition, overhaul and upgrade of the following equipment:

(a) Vessels and appurtenant equipment, such as trailers, communication or navigation systems, sonar devices, lights and other similar vessel accessory apparatuses:

Weather stations, sensors, gauges, data loggers, telemetry devices and related equipment providing real-time waterway conditions of WCIND waterways; and

(b) Other equipment as determined by the Board to benefit or enhance public navigation.

(3) Public Navigation Intangible Property. Program funds may be used to pay direct costs incurred in connection with enhancing waterway operation or maintenance capabilities, including acquisition of intangible property and development of intellectual property, such as software applications and operating systems, and web-based information and

applications, and other intangible property as determined by the Board to benefit or enhance public navigation.

(4) Public Navigation Hazards. Program funds may be used to pay direct costs incurred in connection with improving navigation safety, including planning, development, construction, post-construction and related activities necessary to remove abandoned or derelict vessels, and other navigation hazards or navigation safety activities on WCIND waterways as determined by the Board to benefit or enhance public navigation.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

66A-2.0052 Boater Recreation Projects.

(1) Boater Recreation Facilities. Program funds may be used to pay direct costs incurred in connection with capital improvements resulting in boater recreation facilities, including the cost of acquisition, planning, development, construction, reconstruction, extension, post-construction and related activities. Eligible boater recreation facilities include:

(a) Primary Facilities.

1. Public docks, boat ramps and launching facilities, tie-up facilities, and mooring fields;
2. Public piers providing access to WCIND waterways for recreational boaters, canoers or kayakers;
3. Public canoe or kayak trails and launching facilities;
4. Spoil island or natural island restoration within WCIND's waterways providing for boater access and recreational purposes; and
5. Other primary facilities as determined by the Board to benefit or enhance recreational boater access, except enclosed structures which are ineligible as primary facilities.

(b) Support Facilities.

(1) Vehicle and trailer parking, boarding docks, wave attenuator or breakwaters, seawalls, restrooms, walkways, landscaping, security lighting and fencing, interpretive signs, handicap ramps and fish cleaning stations. Enclosed structures shall be limited to restrooms accessible by waterway users; and

(2) Other non-enclosed support facilities as determined by the Board to benefit or enhance recreational boating access.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

66A-2.0053 Environmental Education Projects.

(1) Environmental Education Facilities. Program funds may be used to pay direct costs incurred in connection with capital improvements resulting in environmental education facilities, including the cost of planning (except for feasibility analysis), development, construction, reconstruction, extension, post-construction and related activities. Eligible environmental education facilities include:

(a) Primary Facilities. Exhibits, demonstrations or interpretive sites constructed and installed within an existing educational facility which provide a range of environmental educational and interpretive programs, including aquariums, signs, kiosks, trails or walkways, wayside panels, static, interactive, multimedia or virtual displays, and other similar features which convey information about environmental education.

(b) Support Facilities.

1. Permanent appurtenances mounted or fastened to the existing educational facility to support the structural integrity of an installed exhibits demonstration or interpretive site or required to connect to existing utility services; and

2. Other support facilities as determined by the Board installed and integrated into an exhibits demonstration or interpretive site which provides an interactive user experience and conveys information about environmental education.

(2) Environmental Education Equipment. Program funds may be used to pay direct costs incurred in connection with enhancing environmental education capabilities, including acquisition, overhaul and upgrade of audio visual equipment, specialized scientific equipment, and other equipment as determined by the Board to be integral to the curriculum and an enhancement of the environmental education experience.

(3) Environmental Education Intangible Property. Program funds may be used to pay direct costs incurred in connection with enhancing environmental education capabilities, including acquisition of intangible property and the development of intellectual property, such as software applications and operating systems, web-based information and applications, curricula, including instructional tools and materials, and other intangible property as determined by the Board to be integral to the curriculum and an enhancement of the environmental education experience.

(4) Environmental Education Instruction. Program funds may be used to pay direct costs incurred in connection with enhancing environmental education capabilities, including the acquisition of specialized instruction services and the following supplies:

1. Instructional materials for environmental education curriculum delivered via in-house classroom or on the water class instruction; and

2. Other supplies as determined by the Board to be integral to the curriculum and an enhancement of the environmental education experience.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

66A-2.0054 Boating Safety and Education Projects.

(1) Boating Safety and Education Facilities. Program funds may be used to pay direct costs incurred in connection with

capital improvements resulting in boating safety and education facilities, including the cost of planning (except for feasibility analysis), development, construction, reconstruction, extension, post-construction and related activities. Eligible boating safety and education facilities include:

(a) Primary Facilities.

1. Docks and lifts that enhance the capabilities of marine fire and rescue services;

2. Docks and lifts that enhance the capabilities of boating safety and education instruction; and

3. Signage at public docks, boat ramps and launch facilities that increases awareness of boating safety and educates the boating public.

(b) Support Facilities. Boarding docks, wave attenuator or breakwaters and seawalls.

(2) Boating Safety and Education Equipment. Program funds may be used to pay direct costs incurred in connection with the acquisition, overhaul and upgrade of the following equipment:

(a) Vessels and appurtenant equipment that enhance marine fire and rescue services capabilities, such as trailers, communication or navigation systems, sonar devices, lights, fire pumps, life-saving appliances, dive and rescue gear, hazardous materials response kits, and other similar vessel accessory apparatuses and onboard safety equipment;

(b) Vessels and appurtenant equipment that enhance boating safety and education capabilities, such as trailers, communication or navigation systems, lights, personal floatation devices, and other similar vessel accessory apparatuses and onboard safety equipment, and non-motorized vessels, such as sailboats, canoes, kayaks, rowing sculls, paddles, and other similar non-motorized vessels accessories apparatus and safety equipment.

(3) Boating Safety and Education Intangible Property. Program funds may be used to pay direct costs incurred in connection with enhancing boating safety and education capabilities, including acquisition of intangible property and development of intellectual property, such as software applications and operating systems, web-based information and applications, curricula, including instructional tools and materials.

(4) Boating Safety and Education Instruction. Program funds may be used to pay direct costs incurred in connection with enhancing boating safety and education capabilities, including acquisition of specialized instruction services and acquisition of the following supplies:

(a) Instructional materials for curriculum delivered via in-house classroom or on the water instruction; and

(b) Other supplies as determined by the Board to be integral to the curriculum and an enhancement of the boating safety and education experience.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

66A-2.0055 Marine Law Enforcement Projects.

(1) Marine Law Enforcement Facilities. Program funds may be used to pay direct costs incurred in connection with capital improvements resulting in marine law enforcement facilities, including the cost of planning (except for feasibility analysis), development, construction, reconstruction, extension, post-construction and related activities. Eligible marine law enforcement facilities are limited to docks lifts or similar primary facilities providing mooring and access for law enforcement vessels.

(2) Marine Law Enforcement Equipment. Program funds may be used to pay direct costs incurred in connection with enhancing marine law enforcement capabilities, including acquisition, overhaul and upgrade of the following equipment:

1. Vessels and appurtenant equipment, such as trailers, communication or navigation systems, lights and similar vessel accessory apparatus and onboard safety equipment;

2. Other equipment as determined by the Board to enhance the capabilities of marine law enforcement.

(3) Marine Law Enforcement Patrols. Program funds may be used to pay direct costs incurred in connection with enhancing marine law enforcement capabilities, including acquisition of marine law enforcement personnel services performed on WCIND waterways (on the water hours, including overtime), and the acquisition of fuel and oil supplies.
Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

66A-2.006 Project Design Criteria.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 11-11-90, Formerly 16S-2.006, Repealed _____.

Substantial rewording of Rule 66A-2.007, F.A.C. follows. See Florida Administrative Code for present text

66A-2.007 Funding Conditions.

The following constitute the general conditions for Program compliance:

(1) Three-Year Encumbrance Limit. Program funds shall not be encumbered for a project beyond three years following approval of a project (October 1 for budget-cycle projects and three years from the date of Board approval for off-cycle projects).

(2) Match Funds. With the exception of public navigation, marine law enforcement or environmental education projects, matching funds are required and shall be clearly identified and enumerated as to amount and source on all requests for funding. Member counties shall provide documentation verifying the

amount and source of matching funds in accordance with subsection 66A-2.005(2), F.A.C.

(3) Site Dedication. Real property which is developed with Program funds shall be dedicated in accordance with the following:

(a) Public Lands. Member county and local government lands which are developed with Program funds shall be dedicated in perpetuity as a waterway development project site for the use and benefit of the general public. Lands which are under control of a member county or local government by lease agreement or other legally binding document, shall be dedicated as a waterway development project site for the use and benefit of the general public for a minimum of twenty-five (25) years from the completion date set forth in the project completion certificate. Member counties shall record such dedications within their respective public property records.

(b) Private Lands. Private lands of a third-party operator may be developed with Program funds for boater safety and education or environmental education projects as described in subsection 66A-2.005, F.A.C. In such instances, member counties shall provide safeguards to ensure that the project site located on the third-party operator's lands are operated and maintained for boater safety and education or environmental education purposes and opened to the general public for a minimum of twenty-five (25) years from the completion date set forth in the project completion certificate.

(4) Facilities Maintenance and Operation. Except as otherwise provided in this Rule Chapter, the member county shall be responsible for the operation, maintenance, and management of the project for the anticipated life of the project and shall be responsible for all expenses required for such purposes. The project shall be maintained in accordance with the standards of maintenance for other similar local facilities and in accordance with applicable federal, state and local health standards. Project facilities shall be kept safe and in repair to prevent undue deterioration. The member county must have full legal authority and financial ability to operate and maintain the project facilities or, where appropriate, ensure that a third-party operator has such authority and ability.

(5) Legal Compliance and Assurances. Member counties and third-party operator shall comply with all applicable state, federal and local laws, rules, and regulations or, where appropriate, ensure a third-party operator's compliance with the same. Applications must include copies of all applicable regulatory agency permits or authorizations demonstrating the project's compliance with all applicable federal, state and local laws, rules and regulations, including but not limited to, U.S. Army Corps of Engineers, Florida Department of Environmental Protection, and Florida Water Management Districts. Failure to include copies of such permits or authorizations may result in the rejection of the application.

Member counties may re-apply for previously rejected projects upon obtaining the required permits or authorizations during any subsequent off-cycle or budget-cycle. Upon approval of an application, member counties shall ensure compliance with all permits and their conditions relating to the project's construction and post-construction monitoring.

(6) Project Accessibility. Notwithstanding facilities used exclusively for marine law enforcement or marine fire and rescue services, facilities funded in whole or in part by Program funds shall be accessible to the public on a non-exclusive basis without regard to age, gender, race, religion, marital status, disability, or ethnic group, and shall be open at reasonable times.

(7) User Fees. User fees may be charged for the use of facilities funded in whole or in part by Program funds. Discrimination based on residence, including preferential reservation, membership or annual permit systems, is prohibited except to the extent reasonable differences in user fees may be maintained on the basis of residence. User fees charged to nonresidents cannot exceed twice the amount charged to residents. Where there is no charge for residents, but a user fee is charged to nonresidents, nonresident user fees cannot exceed user fees charged for residents at comparable state or local public facilities. User fees based upon residence shall be set forth in the project agreement and only apply to the project areas as described therein.

(8) Third-Party Operators. A member county may authorize project funds for use by third-party operators. However, the terms and conditions of the project agreement are not assignable, and the member county shall remain responsible for Program administration and accountability as further set forth in this Rule Chapter. Member counties shall continue to be responsible to WCIND for the proper use and management of Program funds, equipment and facilities, and maintain oversight of third-party operators.

(9) Procurement Requirements. Member counties shall acquire professional services in compliance with Florida law, including Section 287.055, F.S., or ensure a third-party operator's compliance with the same. Additionally, member counties shall competitively procure acquisition of all goods and services exceeding \$5,000 for accomplishment of the project. Alternatively, a member county may utilize a state contract or equivalent procurement method within its approved purchasing policy for such acquisitions. Member counties shall ensure third-party operators procure goods and services in compliance with the requirements herein. Verification of such compliance shall be provided in a quarterly report.

(10) Valuation. Unless otherwise specified in this Rule Chapter, when determining the value of facilities, equipment, intellectual property or supplies, member counties may utilize the appropriate valuation methods under Generally Accepted

Accounting Principles (GAAP) or Modified Accelerated Cost Recovery System (MACRS).

(11) Equipment. Title to equipment acquired with Program funds shall vest upon acquisition in the member county subject to the conditions and requirements of this Rule Chapter. All equipment shall be used exclusively for the waterway purposes as indicated in the project agreement. The equipment shall be operated, stored and maintained per the manufacturer's recommendations, and made available for inspection by WCIND staff upon request.

(a) Replacement or Disposition. When replacing or disposing of equipment acquired in whole or in part with Program funds, member counties shall first make written request to WCIND using Form No. 7, "Property Disposal/Replacement Request," effective _____, which is incorporated herein by reference and available from <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. WCIND will approve such requests in accordance with the following requirements:

1. Replacement. Member counties may trade-in or sell the equipment to be replaced, with its trade-in value or sale proceeds being used to offset the cost of the replacement equipment.

2. Disposition. Member counties may dispose of original or replacement equipment that is no longer needed for its project purpose or for any other use as approved by WCIND, in accordance with the following:

i. Equipment with a current per-unit fair market value of \$5,000 or less may be retained, sold, or otherwise disposed of without any further obligation to WCIND. Member counties shall record the details of dispositions of such equipment within its annual asset inventory, including the party receiving the equipment (if any), the date of disposition, the cash or value received (if any); or

ii. Equipment with a current per-unit fair market value of more than \$5,000 may be retained or sold with WCIND's interest being refunded. Where such equipment is sold, WCIND may permit the member county to deduct and retain \$500 or ten percent of the proceeds, whichever is less, for its selling and handling costs. Member counties shall record the details of dispositions in the same manner as provided for in subsection (11)(a)(2)(i) above.

(12) Casualty Loss and Misused Property. When facilities, equipment or supplies are lost or damaged by fire, natural disaster or other casualty, the fair market value shall be calculated on the basis of the condition of the facilities, equipment or supplies immediately before the loss or damage, irrespective of the extent of insurance coverage or insurance adjustment received. If any loss or damage to facilities, equipment or supplies results from abuse or misuse occurring with the member county's knowledge and consent, the member

county shall either repair, reconstruct or replace such facilities, equipment or supplies at its own expense or refund WCIND's interest therein. If the lost or damaged facilities, equipment or supplies are covered by insurance, a member county shall apply all insurance proceeds to either the costs of repairing, reconstructing or replacing such facilities, equipment or supplies, or the refund of WCIND's interest therein.

(13) Intangible Property. Title to intangible property shall vest upon acquisition in the member county subject to the conditions and requirements of this Rule Chapter. All intangible property shall be used exclusively for the waterway purposes as indicated in the project agreement. Member counties may replace or dispose of intangible property in accordance with the provisions for equipment in subsection (11)(a) above. Member counties may copyright any intellectual property created under the Program with the reservation of WCIND's royalty-free, nonexclusive and irrevocable right to reproduce, publish or otherwise use the intellectual property for WCIND purposes, and to authorize others to do so.

(14) Inventory. Member counties shall submit an annual asset inventory by June 15th of each year. The asset inventory shall track and detail, at minimum, each asset (facilities, equipment and intangible property) acquired with Program funds, the asset's current custodian, date acquired, acquisition cost, whether the asset is insured, and disposition details where applicable.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 11-11-90, Formerly 16S-2.007, Amended, _____.

66A-2.0071 Real Property Acquisition.

The following constitutes the specific conditions procedures and administrative requirement for real property acquisition projects.

(1) Eligible Projects. Real property acquisitions are limited to projects that provide for rights-of-way, spoil material disposal areas, environmental mitigation areas or other areas that may be necessary for completion of capital improvements resulting in future public navigation or boater recreation facilities or extension of existing public navigation or boater recreation facilities. Member counties shall have up to one year from the effective date of the project agreement to purchase the property. The Board may extend this period in accordance with subsection 66A-2.0072(2), F.A.C.

(2) Capital Improvements. The public navigation or boater recreation capital improvements proposed at the time of the acquisition shall be constructed on the property within seven (7) years of the acquisition date and dedicated to the public for such use in perpetuity upon completion. Failure to timely complete the capital improvements may result in WCIND at its sole discretion: requiring the member county to refund WCIND's

interest as calculated in subsection (6) below; the conveyance of the property to WCIND; or extending the seven aforesaid (7) year time limit.

(3) Total Project Cost. Real property acquisitions projects are subject to the match ratios set forth in subsection 66A-2.003(4) and total project cost shall be upon based on either the negotiated purchase price or approved appraised value, whichever is lowest. If the negotiated purchase price or approved appraised value is greater than the project cost, the member county must pay the additional cost. Pre-agreement costs for appraisals, inspections, surveys (boundary and topographic) and title searches or opinions completed within one-year of the date of application may be detailed in the project agreement and used as match funds for a boater recreation project.

(4) Member counties shall include in the acquisition project application, the following supporting documentation:

(a) Appraisal. An appraisal prepared by an appraiser certified under Chapter 475, F.S., shall be submitted which establishes the fair market value of the parcel(s) proposed for acquisition. If the property is \$500,000 or less in appraised value, one appraisal is required. If the property exceeds \$500,000 in appraised value, two appraisals are required. The appraisal(s) must be dated no earlier than six months prior to the submittal date of the application. If two appraisals are required for the project, the lower of the approved appraised values shall be the basis of the total project cost.

(b) Survey. A survey, certified, signed and sealed by a professional surveyor and mapper licensed under Chapter 472, F.S., shall be submitted which provides a legal description and sketch of the boundaries of the parcel(s) proposed for acquisition. The survey shall accurately portray the existing conditions and any known easements and encroachments. The survey shall be certified no earlier than six months prior to the submittal date of the application.

(c) Title Opinion. A title opinion prepared by a member of the Florida Bar or a licensed title insurer which covers the thirty-year period prior to the application submittal date and attests to the landowner's clear title with no liens, encumbrances or taxes against the property.

(5) Ownership. Title to land acquired with program funds shall vest in the member county at closing subject to such covenants and restrictions, and reversion, conveyance and termination clauses that are sufficient to ensure compliance with this Rule Chapter in perpetuity and any easements reserved for the benefit of WCIND. Immediately upon acquiring title to the land, the applicant shall record a declaration of covenants and restrictions in favor of WCIND which include, at a minimum, the time limit for completing the proposed capital improvements and public dedication requirements in subsection (2) above. Additionally, the deed shall contain a reversion,

conveyance or termination clause that vests title to WCIND if any of the covenants or restrictions are violated by the member county or by some third-party with the knowledge of the member county.

(6) Misused Real Property. If a member county violates the covenants and restrictions on the acquired property, the Board, at its discretion, may require the member county to take one of the following remedial actions:

(a) Convey the property to WCIND;

(b) Sell the property at public auction and refund WCIND's interest from the sale proceeds; or

(c) Retain the property for non-waterway related uses and refund WCIND's interest based upon the fair market value of the property at the time of the violation. Fair market value of the property, including any WCIND funded capital improvements thereon, shall be determined in the same manner as the total project costs in subsection (4)(a) above.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

66A-2.0072 Project Administration.

The following constitutes the general requirements for the administration of the Program.

(1) Project Management. The Executive Director or his or her designee shall be the WCIND project manager responsible for monitoring the project agreements under the Program. The Executive Director or designated project manager shall also be responsible for approving all reimbursement requests. The Liaison Agent shall act on the member county's behalf in carrying out the terms and conditions of the project and project agreement. Payment of project costs shall be reimbursed as provided for in this Rule Chapter and in the project agreement.

(2) Time Extensions. All project agreements require a project to be completed within one year from the effective date of the project agreement. The completion date may be extended for good cause upon written request of the member county. However, in no event shall the completion date be extended beyond three years following the effective date of the initial project agreement. Member county liaison agents shall submit a request for extension to WCIND no later than June 15 of fiscal year one or two of the approved project, whichever year is applicable, using Form No. 3, "Project Extension Request," effective _____, which is incorporated herein by reference and available _____ from

<https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. For purposes of this rule, "good cause" means an event beyond the control of the Member County, which prevents it from timely completing the project, including, but not limited to: acts of God (such as earthquakes, drought, fires, storms, and floods); war, hostilities, acts of terrorism, blockades or riots; strikes, lockouts, or other industrial disturbances; and

title disputes, or other litigation. In review of time extension requests, the Board will take into consideration the current project status and progress, the nature of the causing event, and the ability of the member county to complete the project within one additional year.

(3) Failure to Timely Complete. If any project has not been completed within three years following approval of the project, all undisbursed Program funds shall no longer be encumbered for the project and WCIND shall place such funds into the member county's CNIF. Nothing in this Rule Chapter prohibits the member county from re-applying to WCIND for new funding for the project in a subsequent WCIND budget-cycle following expiration of the initial project agreement. Projects that fail to timely complete shall not be eligible for funding during the next available off-cycle.

(4) Agreement Modification. Any requested changes in the scope of the project or amount of financial assistance from WCIND must be submitted in writing to WCIND. All proposed changes to the project agreement must be submitted to WCIND in writing by the member county's Liaison Agent accompanied by a statement of justification for the proposed changes. All project agreement amendments shall be approved by the Board, except that the Executive Director may approve a minor project agreement amendment which does not change the approved project's category or the amount of financial assistance. Agreed changes shall be evidenced by a formal amendment to the project agreement utilizing Exhibit "G" of Form No. 2, "Waterway Development Project Agreement," which is incorporated by reference in subsection 66A-2.003(3).

(5) Agreement Termination. WCIND may unilaterally terminate the project agreement for breach of its terms and conditions or noncompliance with the provisions of this Rule Chapter should the member county fail to cure the breach or remedy the noncompliance within thirty (30) days after receiving written notice. If the member county fails to cure the breach, WCIND may require the member county to refund all funds previously reimbursed under the project agreement. Additionally, upon written request by either party, WCIND and the member county may mutually agree to terminate the project agreement.

(6) Project Reporting. The liaison agent shall submit quarterly reports to the project manager summarizing the work accomplished since the last report, problems encountered, percentage of project completion and other appropriate information. These reports shall be submitted on Form No. 5, "Quarterly Status Report," effective _____, which is incorporated herein by reference and available from <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, by the 15th calendar day after the end of each quarter and continue throughout the length of the project period until completion of the project. A final project report shall be

submitted with the certificate of project completion form and shall include at a minimum: project summary, photo of completed project, final cost, project benefits to the waterway and location address.

(7) Payment Requests. For all projects, requests for disbursement of WCIND funds shall be made using Form No. 4, "Request for Payment Certificate," effective _____, which is incorporated herein by reference and available from <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(8) Project Inspection. Upon reasonable request, the WCIND project manager or his or her designee shall have the right to inspect the project and all records relating to the project.

(9) Project Completion. WCIND shall be notified of completion of a project by the submission of Form No. 6, "Notification of Project Completion," effective _____, which is incorporated herein by reference and available from <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, signed by the liaison agent, and co-signed by either the County Administrator or the County Financial Officer. Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

Substantial rewording of Rule 66A-2.008, F.A.C. follows. See Florida Administrative Code for present text

66A-2.008 Accountability.

The following procedures shall govern the accountability of Program funds:

(1) Member counties are responsible for maintaining an accounting system which meets generally accepted accounting principles and for maintaining such financial records as are necessary to properly account for all Program funds.

(2) Quarterly Reports: Member counties shall submit completed quarterly status reports to WCIND in accordance with subsection 66A-2.0071(6), F.A.C.

(3) Completion Certification: Final certification of project completion and supporting documents as outlined in subsection 66A-2.0071(9), F.A.C., shall be submitted to WCIND prior to final reimbursement of Program funds for each project.

(4) Auditing: All project records including project costs shall be available for review by WCIND or by an auditor selected by WCIND for 3 years after completion of the project.

(5) Project Records: The member county shall retain all records supporting project costs for three years after either the completion of the project or the final reimbursement payment, whichever is later, except that should any litigation, claim, or special audit arise before the expiration of the three-year period, the member county shall retain all records until the final resolution of such matters. Records for real property, capital improvements and equipment must be retained for three years after disposition or replacement.

(6) Repayment: If it is found by WCIND or any state, county or independent auditor that funds had not been used in accordance with the project agreement, this Rule Chapter or Section 374.976, F.S., the member county shall be responsible for refunding the misused funds to WCIND. Payment of the refund shall include interest calculated from date of original County receipt of the funds, through date of WCIND's receipt of the refund at the same rate which would have been paid during said period for the funds if they have been invested in the State of Florida Local Government Surplus Funds Trust Fund (Florida PRIME).

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 11-11-90, Formerly 16S-2.008, Amended, _____.

66A-2.009 Acknowledgment.

Upon request, the member county shall erect a permanent sign, approved by WCIND, at an appropriate location on the project site which indicates WCIND's participation in the project. If the member county erects a temporary construction sign, this sign shall also recognize the WCIND's participation. If the final product of the project is a report, study or other publication, upon request, WCIND's sponsorship of that publication shall be prominently indicated at the beginning of the publication. If the project results in an educational display or intellectual property, upon request, a statement acknowledging WCIND's participation in the project shall be contained in the display or intellectual property.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Justin D. McBride, Executive Director, West Coast Inland Navigation District

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Commissioners, West Coast Inland Navigation District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 19, 2020

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

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

RULE NOS.:	RULE TITLES:
64B4-3.001	Application for Licensure for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants
64B4-3.0075	Provisional Licensure
64B4-3.0085	Intern Registration
64B4-3.009	Limited Licenses
64B4-3.010	Marriage and Family Therapy Dual Licensure

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 46 No. 163, August 20, 2020 issue of the Florida Administrative Register has been withdrawn.

Section IV Emergency Rules

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: 64DER20-43 RULE TITLE: Vaccine Reporting Requirements

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza. COVID-19 is a communicable disease with significant morbidity and mortality. As a result, it presents a severe danger to public health. Access to immunization and vaccine administration data is critical to the government response to the COVID-19 public health emergency. In furtherance of state and federal government response efforts, the Florida Department of Health, the U.S. Department of Health and Human Services (HHS), and the Centers for Disease Control and Prevention (CDC) seek to obtain and utilize data from COVID-19 vaccine data sources, including the Florida Department of Health’s immunization information system (IIS), in order to rapidly assess patterns of vaccination among the population; identify pockets of undervaccination; assist in determining vaccine resource allocation; monitor vaccine effectiveness and safety; assess spectrum of illness, disease burden, and risk factors for severe disease and outcomes; and help to understand the impact of COVID-19 on the healthcare system and communities.

Reporting the administration of COVID-19 vaccines to individuals in Florida is paramount to controlling this communicable disease and for reporting to the Centers for Disease Control and Prevention. Therefore, there is an immediate need to adopt rules setting forth the procedures for reporting of vaccine administration in order to control the spread of COVID-19 to protect the health, safety, and welfare of Florida’s citizens.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: COVID-19 presents a public health threat to the state of Florida. The Surgeon General has declared a statewide Public Health Emergency due to the spread of COVID-19. There is an immediate need to set forth procedures for the reporting of vaccine administration in the effort to control this communicable disease in the State of Florida.

SUMMARY: Emergency rule 64DER20-43 sets forth the reporting requirements for all practitioners and other enrolled COVID-19 vaccine providers administering COVID-19 vaccines.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Carina Blackmore, Florida Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-1703, (850)245-4732.

THE FULL TEXT OF THE EMERGENCY RULE IS:

64DER20-43 COVID-19 Vaccine Reporting Requirements

All health care practitioners licensed under Chapters 458, 459 or 464, F.S., and all other enrolled COVID-19 vaccine providers, must report the following vaccination data elements in Florida SHOTS within 24 hours of administration to an individual of any dose of a COVID-19 vaccine that has Emergency Use Authorization from the Food and Drug Administration.

- (1) Administered at location: facility name/ID
- (2) Administered at location: type
- (3) Administration address (including county)
- (4) Administration date
- (5) CVX (Product)
- (6) Dose number
- (7) IIS recipient ID
- (8) Recipient race
- (9) Recipient ethnicity
- (10) IIS vaccination event ID
- (11) Lot number: unit of use and/or unit of sale
- (12) MVX (manufacturer)
- (13) Recipient address
- (14) Recipient date of birth
- (15) Recipient name

- (16) Recipient sex
- (17) Sending organization
- (18) Vaccine administering provider suffix
- (19) Vaccine administering site (on the body)
- (20) Vaccine expiration date
- (21) Vaccine route of administration
- (22) Vaccination series complete

Rulemaking Authority 381.003(2), 381.0031(8), 381.005(3) FS. Law Implemented 381.0011(3), (4), 381.003(1), 381.0031, 381.005(1) FS. History—New 12-14-2020

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 14, 2020

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 7, 2020, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lake Worth Towers at 1500 Lucerne Ave, Lake Worth, FL. Petitioner seeks a variance of the requirements of Rules 2.7.4 and 3.11.3, ASME A17.3, 1996 edition and Rule 8.6.4.19.7, ASME A17.1, 2013 edition as adopted by 61C-5.001, Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations, door restrictors, and standby or emergency power operation which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW 2020-150).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-818.002 Definitions

NOTICE IS HEREBY GIVEN that on December 10, 2020, the Florida Department of Environmental Protection, Florida Communities Trust, received a petition for waiver from St.

Johns County, Florida. The petition seeks a waiver from subsection 62-818.002(32), F.A.C., which defines "pre-acquired". This matter has been assigned OGC #20-1638.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rita Ventry, e-mail Rita.Ventry@FloridaDEP.gov, Florida Communities Trust, Florida Department of Environmental Protection, 3800 Commonwealth Boulevard, MS 585, Tallahassee, Florida 32399-3000; during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination

NOTICE IS HEREBY GIVEN that on December 11, 2020, the Board of Nursing, received a petition for variance or waiver filed by Kimberly Kay Taylor, from subsection 64B9-3.002(3), F.A.C., which states that for an applicant writing the examination for practical nurses on the basis of practical nursing education equivalency, a completed Practical Nurse Equivalence (PNEQ) Application Letter or an official certified transcript which sets forth graduation from an approved professional program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252; MQA.Nursing@flhealth.gov.

Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

NOTICE IS HEREBY GIVEN that on December 14, 2020, the Board of Podiatric Medicine, received a petition for variance or waiver filed by Dr. Allen Lazerson. Petitioner seeks a variance or waiver of subsection 64B18-11.001(2), F.A.C., which states that an application file for licensure is not complete unless and until it contains verification of a passing score from examination of the National Board of Podiatric Medical Examiners, including Part I, Part II, and Part III. Such verification must be received by the Board office directly from the provider of the National Board of Podiatric Medical Examiners examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Janet Hartman, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708. Comments on this petition

should be filed with the Board of Podiatric Medicine within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-5.004 Selection of Housing.

The Agency for Persons with Disabilities hereby gives notice: that the agency submitted a Notice Disposition for Variance or Waiver that was published on December 4, 2020 in Vol. 46/241, that stated that the expiration date for the Final Order granting that waiver was December 31, 2020. This date is incorrect. The correct date is December 31, 2021.

A copy of the Order or additional information may be obtained by contacting: Brett Taylor, Senior Attorney, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)410-1309, brett.taylor@apdcares.org.HQT.

DEPARTMENT OF FINANCIAL SERVICES

Securities

NOTICE IS HEREBY GIVEN that on December 10, 2020, the Florida Office of Financial Regulation, received a petition for Waiver of paragraph 69W-600.0024(6)(b), Florida Administrative Code from James Wellman. The petition seeks a Waiver of paragraph 69W-600.0024(6)(b) which requires an associated person of an investment adviser or federal covered adviser to provide the Office with one of the following:

1. Proof of passing, within two years of the date of application for registration, the Uniform Investment Adviser Law Examination (Series 65); or
2. Proof of passing, within two years of the date of application for registration, the General Securities Representative Examination (Series 7), the Uniform Combined State Law Examination (Series 66), and proof of passing within four years of the date of application for registration, the Securities Industry Essentials (SIE) Examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

The FSTED Seaport Mission Plan RFP Sub-Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, January 5, 2021, 12:00 Noon – 1:00 p.m.

PLACE: Dial in information: (646)558-8656, Meeting ID: 960-7275-9677, Passcode: 435282

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: Casey Grigsby in the Florida Port Council offices at (850)222-8028 or at casey.grigsby@flaports.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 48 hours before the workshop/meeting by contacting: Casey Grigsby in the Florida Port Council offices at (850)222-8028 or at casey.grigsby@flaports.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Casey Grigsby in the Florida Port Council offices at (850)222-8028 or at casey.grigsby@flaports.org.

EXECUTIVE OFFICE OF THE GOVERNOR

The Volunteer Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, December 18, 2020, 10:00 a.m. ET until all business is complete

PLACE: Videoconference via Zoom: <https://us02web.zoom.us/j/9525947493>

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business to be discussed.

A copy of the agenda may be obtained by contacting: Sheri LeaJean, sheri@volunteerflorida.org, (850)414-7400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Sheri LeaJean, sheri@volunteerflorida.org, (850)414-7400. 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: Sheri LeaJean, sheri@volunteerflorida.org, (850)414-7400.

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 7, 2020, 10:00 a.m. ET
 PLACE: Call 1(888)585-9008, and when prompted enter conference room number 772425480, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: John Scotese at (850)907-6823 or John.Scotese@fchr.myflorida.com.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

The Board of Podiatric Medicine announces a public meeting to which all persons are invited.

DATE AND TIME: January 5, 2021, 4:15 p.m. ET
 PLACE: Please join my meeting from your computer, tablet or smartphone using GoToMeeting at <https://global.gotomeeting.com/join/402314077> or by smartphone (Toll Free) 1(877)568-4106 or (646)749-3129 using Access Code: 402-314-077

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business involving discussion and actions, including, but not limited to general board business, licensure applications, rules and disciplinary matters.

A copy of the agenda may be obtained by contacting the board office at (850)245-4292 or by visiting our website at <https://floridaspodiatricmedicine.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 7 days before the workshop/meeting by contacting the board office at (850)245-4292.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact the board office at (850)245-4292.

DEPARTMENT OF HEALTH

Division of Environmental Health

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

DATE AND TIME: December 22, 2020, 10:00 a.m.

PLACE: GoToMeeting
<https://global.gotomeeting.com/join/925337181>

Open Voice Conference: (571)317-3112, Access Code: 925-337-181

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a biannual general meeting of the Environmental Health Professional Advisory Board.

A copy of the agenda may be obtained by contacting: Mr. Michael Lawhorn, FL Dept. of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Mail Bin A08, Tallahassee, FL 32399-1710, by email: Michael.Lawhorn@flhealth.gov or by telephone: (850)901-6515.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Mr. Lawhorn. 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 HEALTH

Division of Children's Medical Services

The Court Orders Impacting Child Forensic Interview Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 14, 2021, 2:00 p.m. – 3:00 p.m.

PLACE: Microsoft Teams Meeting:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDc1ZGF1OWMtYWQ5OC00MzkzLTkwZmItMjFmMDdiZmU5MTE1%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22f0158395-135d-4b84-9b98-a6d3b3916f52%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address and finalize the identified roles, responsibilities, and reporting information on the below circuit orders throughout Florida which impact child forensic interviews, to present to the Child Forensic Interview Advisory Committee: Model Administrative Order for Protocol for use of Facility dogs or Therapy animals in court proceedings

Model Chief Judge Child Interview Limitation Order
 Standardization of administrative orders limiting child interviews

A copy of the agenda may be obtained by contacting: CFIAC@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: CFIAC@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). For more information, you may contact: CFIAC@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Law Enforcement Subcommittee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 4, 2021, 11:00 a.m. – 12:00 Noon

PLACE: Microsoft Teams:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_Mzk1YWMyMjMtOGZkMS00NjI4LWI0NzYtZmE5MTlMOTeyMDM3%40thread.v2/0?context=%7b%22Tid%22%3a%2228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%22%2c%22Oid%22%3a%22347994ad-22fa-4850-87b1-dd0a53a66c99%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Prepare report language for CFIAC review

A copy of the agenda may be obtained by contacting: CFIAC@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: CFIAC@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). For more information, you may contact: CFIAC@flhealth.gov.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: December 23, 2020, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, Call (850)988-5144, and enter phone conference ID: 756 701 156#.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Disposition of cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: The Reemployment Assistance Appeals Commission at RAAC.Inquiries@deo.myflorida.com.

SPECIAL COVID-19 CONSIDERATIONS: As the Governor of the State of Florida and Leon County have declared a state of emergency due to the COVID-19 Pandemic, the Commission must limit the manner in which the public may participate; accordingly, no member of the public may attend in person. Any interested person who would like to attend telephonically should call (850)988-5144 and enter phone conference ID: 756 701 156#.

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 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission at (850)487-2685 or RAAC.Inquiries@deo.myflorida.com.

EMERGENCY CANCELLATION OF MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website (www.raac.myflorida.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: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)487-2685, RAAC.Inquiries@deo.myflorida.com.

GULF CONSORTIUM

The Gulf Consortium announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 21, 2020, 4:00 p.m. ET

PLACE: This meeting will be conducted exclusively via teleconference. Interested persons may participate by telephone via the following: Dial in Number: (669)224-3217, Participant Passcode: 865-760-109

Interested persons who wish to participate may also contact Valerie Seidel at (407)629-2185 ext 104 or vseidel@balmoralgroup.us at least three (3) days in advance of the meeting to arrange for access to be provided to the teleconference at the following location: The Balmoral Group, 165 Lincoln Avenue, Winter Park, FL 32789

Please note that in light of the current situation surrounding the COVID-19 virus and to limit public gatherings in accordance with Federal and State directives, interested persons who wish to participate are encouraged to do so remotely via telephone, utilizing the contact information described above.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee of the Gulf Consortium will meet to discuss the renewal of the consortium management contract.

A copy of the agenda may be obtained by contacting: obtained at www.gulfconsortium.org or by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: obtained at www.gulfconsortium.org or by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.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).

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: Obtained at www.gulfconsortium.org or by contacting: General Manager at (407)629-2185 or Gulf.Consortium@balmoralgroup.us.

NONE

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP ITB 2021008 - Rental of a Temporary Restroom Facility at Ft. Pierce Inlet State Park

The Florida Department of Environmental Protection is requesting Bids from qualified vendors to provide the rental of a temporary five-restroom trailer facility at Ft. Pierce Inlet State Park located at 305 Shorewinds Drive, Fort Pierce, Florida 34949. The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

Section XII
Miscellaneous

DEPARTMENT OF STATE
Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Tuesday, December 6, 2020 and 3:00 p.m., Monday, December 14, 2020.

Rule No.	File Date	Effective Date
6A-1.099813	12/10/2020	12/30/2020
12A-1.001	12/11/2020	12/31/2020
12A-1.007	12/11/2020	12/31/2020
12A-1.0071	12/11/2020	12/31/2020
12A-1.043	12/11/2020	12/31/2020
12A-1.0641	12/11/2020	12/31/2020
12A-1.097	12/11/2020	12/31/2020

12A-1.104	12/11/2020	12/31/2020
12AER20-13	12/10/2020	12/10/2020
12AER20-14	12/10/2020	12/10/2020
12AER20-15	12/10/2020	12/10/2020
12B-8.003	12/11/2020	12/31/2020
12BER20-16	12/10/2020	12/10/2020
59C-1.008	12/10/2020	12/30/2020
61G1-11.013	12/14/2020	1/3/2021
61G1-13.001	12/14/2020	1/3/2021
61G1-24.004	12/14/2020	1/3/2021
61G18-30.001	12/14/2020	1/3/2021
64B9-14.001	12/14/2020	1/3/2021
64B18-12.008	12/9/2020	12/29/2020
64B18-16.005	12/9/2020	12/29/2020
64B18-16.006	12/9/2020	12/29/2020
64B18-24.002	12/9/2020	12/29/2020
64DER20-43	12/14/2020	12/14/2020
LIST OF RULES AWAITING EPA APPROVAL PURSUANT TO SECTION 373.4146 (2), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
62-330.010	7/21/2020	**/**/****
62-330.050	6/26/2020	**/**/****
62-330.060	6/26/2020	**/**/****
62-330.090	6/26/2020	**/**/****
62-330.201	6/26/2020	**/**/****
62-330.340	6/26/2020	**/**/****
62-330.402	6/26/2020	**/**/****
62-331.010	7/21/2020	**/**/****
62-331.020	6/11/2020	**/**/****
62-331.030	6/11/2020	**/**/****
62-331.040	6/11/2020	**/**/****
62-331.050	6/11/2020	**/**/****

62-331.051	7/21/2020	**/**/****
62-331.052	7/21/2020	**/**/****
62-331.053	7/21/2020	**/**/****
62-331.054	7/21/2020	**/**/****
62-331.060	7/21/2020	**/**/****
62-331.070	6/11/2020	**/**/****
62-331.080	7/21/2020	**/**/****
62-331.090	7/21/2020	**/**/****
62-331.100	6/11/2020	**/**/****
62-331.110	7/21/2020	**/**/****
62-331.120	7/21/2020	**/**/****
62-331.130	6/11/2020	**/**/****
62-331.140	6/11/2020	**/**/****
62-331.160	7/21/2020	**/**/****
62-331.200	7/21/2020	**/**/****
62-331.201	7/21/2020	**/**/****
62-331.210	7/21/2020	**/**/****
62-331.211	6/11/2020	**/**/****
62-331.212	6/11/2020	**/**/****
62-331.213	6/11/2020	**/**/****
62-331.214	6/11/2020	**/**/****
62-331.215	7/21/2020	**/**/****
62-331.216	7/21/2020	**/**/****
62-331.217	7/21/2020	**/**/****
62-331.218	6/11/2020	**/**/****
62-331.219	6/11/2020	**/**/****
62-331.220	6/11/2020	**/**/****
62-331.221	6/11/2020	**/**/****
62-331.222	6/11/2020	**/**/****
62-331.223	6/11/2020	**/**/****
62-331.224	6/11/2020	**/**/****
62-331.225	7/21/2020	**/**/****

62-331.226	7/21/2020	**/**/****
62-331.227	6/11/2020	**/**/****
62-331.228	6/11/2020	**/**/****
62-331.229	7/21/2020	**/**/****
62-331.230	7/21/2020	**/**/****
62-331.231	7/21/2020	**/**/****
62-331.233	6/11/2020	**/**/****
62-331.234	6/11/2020	**/**/****
62-331.235	6/11/2020	**/**/****
62-331.236	6/11/2020	**/**/****
62-331.237	6/11/2020	**/**/****
62-331.238	6/11/2020	**/**/****
62-331.239	6/11/2020	**/**/****
62-331.240	7/21/2020	**/**/****
62-331.241	6/11/2020	**/**/****
62-331.242	7/21/2020	**/**/****
62-331.243	6/11/2020	**/**/****
62-331.244	6/11/2020	**/**/****
62-331.245	6/11/2020	**/**/****
62-331.246	6/11/2020	**/**/****
62-331.247	6/11/2020	**/**/****
62-331.248	7/21/2020	**/**/****
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

The establishment of Jaguar Power Sports LLC, for the line-make YNGF

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Pasando Resources, Inc., intends to allow the establishment of Jaguar Power Sports LLC, as a dealership for the sale of motorcycles manufactured by Sanmen County Yongfu Machine Co. Ltd (line-make YNGF) at 7720 Philips Highway, Jacksonville, (Duval County), Florida 32256, on or after January 15, 2021.

The name and address of the dealer operator(s) and principal investor(s) of Jaguar Power Sports LLC are dealer operator(s): Shaun Jackrel, 7720 Philips Highway, Jacksonville, Florida 32256; principal investor(s): Shaun Jackrel, 7720 Philips Highway, Jacksonville, Florida 32256.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Firas Abunabah, Pasando Resources, Inc., 9300 Harwin # C, Houston, Texas 77036.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

The establishment of Jaguar Power Sports LLC, for the line-make APSP

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More

than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pasando Resources, Inc., intends to allow the establishment of Jaguar Power Sports LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Apollo Motorcycle Manufacturer (line-make APSP) at 7720 Philips Highway, Jacksonville, (Duval County), Florida 32256, on or after January 15, 2021.

The name and address of the dealer operator(s) and principal investor(s) of Jaguar Power Sports LLC are dealer operator(s): Shaun Jackrel, 7720 Philips Highway, Jacksonville, Florida 32256; principal investor(s): Shaun Jackrel, 7720 Philips Highway, Jacksonville, Florida 32256.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Firas Abunabah, Pasando Resources, Inc., 9300 Harwin # C, Houston, Texas 77036.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

The establishment of Jaguar Power Sports LLC, for the line-make JIAJ

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Pasando Resources, Inc., intends to allow the establishment

of Jaguar Power Sports LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co (line-make JIAJ) at 7720 Philips Highway, Jacksonville, (Duval County), Florida 32256, on or after January 15, 2021.

The name and address of the dealer operator(s) and principal investor(s) of Jaguar Power Sports LLC are dealer operator(s): Shaun Jackrel, 7720 Philips Highway, Jacksonville, Florida 32256; principal investor(s): Shaun Jackrel, 7720 Philips Highway, Jacksonville, Florida 32256.

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

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

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A copy of such petition or complaint must also be sent by US Mail to: Firas Abunabah, Pasando Resources, Inc., 9300 Harwin # C, Houston, Texas 77036.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

Florida State Clearinghouse

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

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN
DECEMBER 7, 2020 AND DECEMBER 11, 2020

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION
State Board of Education

6A-1.099813	12/10/20	12/30/20	46/201	46/226
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DEPARTMENT OF REVENUE
Sales and Use Tax

12A-1.001	12/11/20	12/31/20	46/187	
12A-1.007	12/11/20	12/31/20	46/187	
12A-1.0071	12/11/20	12/31/20	46/187	
12A-1.043	12/11/20	12/31/20	46/187	
12A-1.0641	12/11/20	12/31/20	46/187	
12A-1.097	12/11/20	12/31/20	46/187	
12A-1.104	12/11/20	12/31/20	46/187	
12AER20-13	12/10/20	12/10/20	46/239	
12AER20-14	12/10/20	12/10/20	46/239	
12AER20-15	12/10/20	12/10/20	46/239	

Miscellaneous Tax

12B-8.003	12/11/20	12/31/20	46/204	
12BER20-16	12/10/20	12/10/20	46/239	

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

59C-1.008	12/10/20	12/30/20	46/212	
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DEPARTMENT OF HEALTH
Board of Podiatric Medicine

64B18-12.008	12/9/20	12/29/20	46/189	
64B18-16.005	12/9/20	12/29/20	46/189	
64B18-16.006	12/9/20	12/29/20	46/189	
64B18-24.002	12/9/20	12/29/20	46/189	

LIST OF RULES AWAITING EPA APPROVAL
PURSUANT TO SECTION 373.4146(2), FLORIDA
STATUTES

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-330.050	6/26/20	**/**/****	46/34	
62-330.060	6/26/20	**/**/****	46/34	
62-330.090	6/26/20	**/**/****	46/34	

62-330.201	6/26/20	**/**/****	46/34	
62-330.340	6/26/20	**/**/****	46/34	
62-330.402	6/26/20	**/**/****	46/34	
62-330.010	7/21/20	**/**/****	46/34	46/111
62-331.020	6/11/20	**/**/****	46/34	
62-331.030	6/11/20	**/**/****	46/34	
62-331.040	6/11/20	**/**/****	46/34	
62-331.050	6/11/20	**/**/****	46/34	
62-331.070	6/11/20	**/**/****	46/34	
62-331.100	6/11/20	**/**/****	46/34	
62-331.130	6/11/20	**/**/****	46/34	
62-331.140	6/11/20	**/**/****	46/34	
62-331.211	6/11/20	**/**/****	46/34	
62-331.212	6/11/20	**/**/****	46/34	
62-331.213	6/11/20	**/**/****	46/34	
62-331.214	6/11/20	**/**/****	46/34	
62-331.218	6/11/20	**/**/****	46/34	
62-331.219	6/11/20	**/**/****	46/34	
62-331.220	6/11/20	**/**/****	46/34	
62-331.221	6/11/20	**/**/****	46/34	
62-331.222	6/11/20	**/**/****	46/34	
62-331.223	6/11/20	**/**/****	46/34	
62-331.224	6/11/20	**/**/****	46/34	
62-331.227	6/11/20	**/**/****	46/34	
62-331.228	6/11/20	**/**/****	46/34	
62-331.233	6/11/20	**/**/****	46/34	
62-331.234	6/11/20	**/**/****	46/34	
62-331.235	6/11/20	**/**/****	46/34	
62-331.236	6/11/20	**/**/****	46/34	
62-331.237	6/11/20	**/**/****	46/34	
62-331.238	6/11/20	**/**/****	46/34	
62-331.239	6/11/20	**/**/****	46/34	
62-331.241	6/11/20	**/**/****	46/34	
62-331.243	6/11/20	**/**/****	46/34	
62-331.244	6/11/20	**/**/****	46/34	
62-331.245	6/11/20	**/**/****	46/34	
62-331.246	6/11/20	**/**/****	46/34	
62-331.247	6/11/20	**/**/****	46/34	
62-331.010	7/21/20	**/**/****	46/34	46/111
62-331.051	7/21/20	**/**/****	46/34	46/111
62-331.052	7/21/20	**/**/****	46/34	46/111
62-331.053	7/21/20	**/**/****	46/34	46/111
62-331.054	7/21/20	**/**/****	46/34	46/111
62-331.060	7/21/20	**/**/****	46/34	46/111
62-331.080	7/21/20	**/**/****	46/34	46/111
62-331.090	7/21/20	**/**/****	46/34	46/111
62-331.110	7/21/20	**/**/****	46/34	46/111
62-331.120	7/21/20	**/**/****	46/34	46/111
62-331.160	7/21/20	**/**/****	46/34	46/111
62-331.200	7/21/20	**/**/****	46/34	46/111
62-331.201	7/21/20	**/**/****	46/34	46/111

62-331.210	7/21/20	**/**/****	46/34	46/111
62-331.215	7/21/20	**/**/****	46/34	46/111
62-331.216	7/21/20	**/**/****	46/34	46/111
62-331.217	7/21/20	**/**/****	46/34	46/111
62-331.225	7/21/20	**/**/****	46/34	46/111
62-331.226	7/21/20	**/**/****	46/34	46/111
				46/114
62-331.229	7/21/20	**/**/****	46/34	46/111
62-331.230	7/21/20	**/**/****	46/34	46/111
62-331.231	7/21/20	**/**/****	46/34	46/111
62-331.240	7/21/20	**/**/****	46/34	46/111
62-331.242	7/21/20	**/**/****	46/34	46/111
62-331.248	7/21/20	**/**/****	46/34	46/111

**LIST OF RULES AWAITING LEGISLATIVE REVIEW/
APPROVAL PURSUANT TO SECTIONS 120.541(3),
373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009 7/21/2016 **/**/**** 42/105

Division of State Employees' Insurance

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60P-2.002 11/5/2019 **/**/**** 45/191

60P-2.003 11/5/2019 **/**/**** 45/191

DEPARTMENT OF HEALTH

Board of Medicine

64B8-10.003 12/9/2015 **/**/**** 39/95 41/49

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.