

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

RULE NO.: RULE TITLE: 1-1.009 Definitions PURPOSE AND EFFECT: To define "Notice of Correction," in the rule making process. SUBJECT AREA TO BE ADDRESSED: Define how "Notice of Corrections" are utilized to communicate technical changes to Notice of Proposed Rules during the rule making process and their impact on agency filing deadlines. RULEMAKING AUTHORITY: 120.55(1)(c) FS. LAW IMPLEMENTED: 120.55(1)(c) FS. IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carlos A. Rey, Florida Department of State, 500 S. Bronough St, Tallahassee, FL 32399, Carlos.Rey@dos.myflorida.com THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

NONE

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CITRUS

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

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 73, April 13, 2018 issue of the Florida Administrative Register. 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: based on their review of the current rules governing fresh packing and the severe negative impact of Huanglongbing on the citrus industry, the fresh citrus industry has requested that the Department amend the current rules to allow lower costs for packing and inspection fees on fresh citrus. The estimated regulatory costs of such an amendment shall not exceed the five-year, one-million-dollar threshold outlined in section 120.541(2), Florida Statutes.

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.

**DEPARTMENT OF CITRUS**

RULE NOS.:	RULE TITLES:
20-34.006	Juice Content in Grapefruit - Sampling and Testing
20-34.008	Solids-Acid Ratio Maturity Test - Drawing Sample
20-34.013	Tests May be Made Anywhere
20-34.018	Destruction of Fruit
20-34.020	Samples to be Taken from All Grades, Sizes or Other Division in All Lots

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 44 No. 73, April 13, 2018 issue of the Florida Administrative Register.

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

(1) through (2) No change.

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

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

(4) No change.

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

(6) through (7) No change.

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

(1) through (4) No change.

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

(a) The method for determining compliance for grapefruit shall be the same as prescribed in subsection 20-34.006(6).

(b) Grapefruit compliance shall be based on the average diameter as listed in 20-34.006(3).

(c) Failure for all varieties of citrus shall be based upon the carton with the highest percentage of the average diameter that failed.

20-34.013 Tests May Be Made Anywhere.

(1) No change.

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

(3) No change.

20-34.018 Fruit Failing Maturity.

All fruit which fails to pass the fresh fruit maturity test and is subject to destruction, shall be destroyed immediately, or legally diverted for other suitable use, under the direct supervision of an inspector, and at the expense of the owner. shall not be shipped as fresh fruit.

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

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

**DEPARTMENT OF MANAGEMENT SERVICES**

**Personnel Management System**

RULE NO.: RULE TITLE:  
60L-40.002 Equal Employment Opportunity and  
Affirmative Action

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 64, April 3, 2017 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF HEALTH**

**Division of Children’s Medical Services**

RULE NOS.: RULE TITLES:  
64C-6.001 Definitions - General  
64C-6.002 Standards - General  
64C-6.003 Standards - Specific

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 43 No. 229, November 29, 2017 issue of the Florida Administrative Register has been withdrawn.

**AGENCY FOR PERSONS WITH DISABILITIES**

RULE NOS.: RULE TITLES:  
65G-2.001 Definitions  
65G-2.010 Fire and Emergency Procedures

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in the Vol. 44 No. 55, March 20, 2018 issue of the Florida Administrative Register and the Notice of Change published in the Vol 44 No. 85, May 1, 2018 issue of the Florida Administrative Register.

65G-2.001 Definitions.

For the purposes of this chapter, the term:

(1) through (9) No change.

(10) “Direct Care Core Competency Training” means the training described and mandated by the Florida Medicaid Developmental Disabilities Individual Budget Waiver Services Coverage and Limitations Handbook, which is incorporated by reference in Rule ~~59G-13.070~~ ~~59G-13.083~~, F.A.C.

(11) through (34) No change.

Rulemaking Authority 393.501(1), 393.067 FS. Law Implemented 393.067, 393.13 FS. History—New 7-1-14, Amended \_\_\_\_ .

65G-2.010 Fire and Emergency Procedures.

(1) through (4) No change.

(5) **INCIDENT REPORTING.** In all cases involving known or suspected abuse, neglect or exploitation, the incident shall be reported immediately to the Florida Abuse Hotline as required under Sections 39.201 and 415.1034, F.S. The Provider or Covered person must take immediate action in the

situation to resolve the emergency and ensure the individual’s health and safety. This action may include, but is not limited to, calling 911, or performing Cardiopulmonary Resuscitation (CPR) for recipients without a pulse, are not breathing and do not have a Do Not Resuscitate (DNR) Order, or back blows and abdominal thrust maneuvers for choking. In addition, all incidents must be reported to the Regional Office in the following manner and according to the specified timeframes utilizing the APD Incident Reporting Form APD OP 3-0006, effective May 25, 2018, which is herein incorporated by reference. A copy of this form may be obtained from the Regional Office.

(a) Critical incidents must be reported to the appropriate Regional Office by telephone or in person within 1 hour after facility staff become aware of the incident. If this occurs after normal business hours or on a weekend or holiday the person reporting the incident shall call the Regional Office after-hours designee. If the incident occurs between the hours of 8:00 p.m. and 8:00 a.m., a telephonic or in-person contact must be made with the Regional Office no later than 9:00 a.m. It shall be within the provider’s discretion and judgment to determine the appropriateness of waiting until the following morning. A supervisor may be the one to make the verbal report. Telephonic or in-person contacts should be followed up with the submission of a completed APD Incident Reporting Form to the Regional Office within 1 business day following the critical incident. This form should be faxed, electronically mailed, or personally delivered to the Regional Office. The information contained in the first page must be provided by the person with firsthand knowledge of the incident. Additionally, any and all follow-up measures taken by a Provider or Covered Person to protect a resident or client, gain control or manage the situation must be noted on the second page of the incident reporting form, which may be completed and submitted to the Regional Office at a later date, not to exceed five business days. The measures must specify what actions will be taken to mitigate a recurrence of the same type of incident. Critical incidents include the following:

1. The unexpected death of a resident or client;
2. Any sexual activity, as defined in Section 393.135, F.S., between a covered person and a resident or client regardless of the consent of the resident or client, incidents of nonconsensual sexual activity between residents or clients, sexual activity involving any resident or client who is a minor; and nonconsensual sexual activity between a resident or client and any person in the community.
3. The unexpected absence or unknown whereabouts, beyond one hour, of a resident or client who is a minor or an adult resident or client who has been adjudicated incompetent;
4. A resident or client has sustained a life-threatening injury or illness;

5. Negative news media reports regarding the operation of the facility or the care of residents or clients;

6. The arrest of a resident or client for a violent criminal offense;

7. The arrest of a covered person for a potentially disqualifying offense specified in Section 393.0655, F.S.; or

8. The Department of Children and Families has made a finding of verified abuse, neglect, exploitation, or abandonment by the provider or the provider’s employees.

(b) Other reportable incidents must be reported to the Regional Office within one business day following the incident through the completion of a written incident report which may be faxed, electronically mailed, or personally delivered to the Regional Office. Additionally, any and all follow-up measures taken by a Provider or Covered Person to protect a resident or client, gain control or manage the situation must be noted on the second page of the incident reporting form, which may be completed and submitted to the Regional Office at a later date, not to exceed five business days. Reportable incidents include:

1. The death of a resident or client that does not constitute an unexpected death;

2. Physical altercations occurring between a resident or client and a member of the community, a resident or client and direct service providers, or two or more residents or clients, that results in law enforcement contact;

3. Any injury to a resident or client due to an accident, act of abuse, neglect or other incident that occurs or allegedly occurs while the resident or client is receiving services from a covered person that requires the resident or client to receive medical treatment in an urgent care center, emergency room or physician office setting due to injury that is being reported currently or requires admission to a hospital;

4. The arrest of a resident or client for a non-violent offense while that resident or client is under the care of a provider or covered person;

5. The unexpected absence or unknown whereabouts of a legally competent adult resident or client beyond eight hours;

6. Any act which clearly reflects the physical attempt by a resident or client to cause his or her own death;

7. The commitment of a resident or client to mental health services pursuant to Chapter 394, F.S., also known as the “Baker Act;” or

8. Any sudden onset of illness to a resident or client while receiving services from a covered person that requires the resident or client to receive medical treatment in an urgent care center, emergency room or physician office setting due to sudden onset of illness or requires admission to a hospital.

(c) through (e) No change.

Rulemaking Authority 393.501(1), 393.067 FS. Law Implemented 393.067 FS. History—New 7-1-14, Amended .

## Section IV Emergency Rules

NONE

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

NOTICE IS HEREBY GIVEN that on April 30, 2018, the Florida Department of Law Enforcement, received a petition for permanent waiver of subsection 11B-27.002(4), F.A.C., from Leonardo Polo. Petitioner wishes to permanently waive that portion of the Rule that states: (a) Within 4 years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination, and gain employment, and certification as an officer.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Dana Kelly, Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by Telephone at (850)410-7676.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on May 2, 2018 it has issued an order granting a variance.

Petitioner’s Name: Donald App - File Tracking No. 18-4276

Date Petition Filed: April 9, 2018, Rule No.: 40D-22.201, F.A.C.

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

Date Petition Published in the Florida Administrative Register: April 13, 2018

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org. (J2017069-2)

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on April 19, 2018, the Southwest Florida Water Management District, received a petition for a variance or waiver.

Petitioner’s Name: Verona Reserve Community Assoc., Inc., Rule No.: 40D-22.201

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

The Petition has been assigned tracking No. 18-4278

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (J2018003-1)

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that on April 24, 2018, the Agency for Health Care Administration, received a petition for Variance from Rule 59A-4.1265, F.A.C., from Health Facilities, Inc. d/b/a Tri-County Nursing Home. The Petition has been assigned Agency case number 2018006051. The Petition seeks a variance from Rule 59A-4.1265, F.A.C. requesting a variance as to the time for the implementation of the rule and specifically requesting an extension of time to implement the rule. Interested persons or other agencies may submit written comments on the petition for variance within 14 days after publication of the notice by forwarding an email to NH\_Emergencyrule@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bernard Hudson, Agency for Health Care Administration, Division of Health Quality Assurance, Long Term Care Services Unit by phone: (850)412-4303 or by email to NH\_Emergencyrule@ahca.myflorida.com.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that on April 16, 2018, the Agency for Health Care Administration, received a petition for a Request for Extension of Time from Rule 59A-4.1265, F.A.C., from Federation CCRC Operation Corp. d/b/a Health Center at Sinai Residences. The Petition has been assigned Agency case number 2018005520. The Petition seeks an

extension of time from Rule 59A-4.1265, F.A.C. requesting an extension as to the time for the implementation of the rule and specifically requesting an extension of time to implement the rule. Interested persons or other agencies may submit written comments on the petition for variance within 14 days after publication of the notice by forwarding an email to NH\_Emergencyrule@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bernard Hudson, Agency for Health Care Administration, Division of Health Quality Assurance, Long Term Care Services Unit by phone: (850)412-4303 or by email to NH\_Emergencyrule@ahca.myflorida.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 23, 2018 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Anj Group LLC located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and the three compartment sink.

The Petition for this variance was published in Vol. 44/80 on April 24, 2018. The Order for this Petition was signed and approved on May 1, 2018. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink and the three compartment sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink and the three compartment sink is provided with hot and cold running water under pressure, and that the handwash sink is provided with soap, an approved hand drying device and a handwashing sign.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 20, 2018 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from Bambino Scoops Inc. located in Jacksonville. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Petition for this variance was published in Vol. 44/79 on April 23, 2018. The Order for this Petition was signed and approved on May 01, 2018. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring he wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on May 02, 2018, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida

Administrative Code and Paragraph 5-202.11(A), 2009 FDA Food Code from The Sweet Spot Desserts & Cake Supplies LLC located in Margate. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-610.567 Reliability and Operator Staffing

The Department of Environmental Protection hereby gives notice:

that on April 25, 2018, the Department issued a Final Order granting Destin Water User's petition for variance. The Petition was received on December 7, 2017 and an amended Petition was received on January 26, 2018. Notice of receipt of this Petition was published in the Florida Administrative Code on December 13, 2017. The petition requested a variance to allow a reduction in minimum staffing requirements to Class C or higher operator 16 hours per day, 7 days a week at the Petitioner's George F. French Water Reclamation Facility when the Facility is not injecting into the Aquifer Storage and Recovery (ASR) wells from subsection 62-610.567(5), F.A.C, which requires that domestic wastewater treatment facility provide full treatment and disinfection shall be staffed by a Class C or higher operator 24 hours per day, 7 days per week. No public comments were received. The Order, File No. FLA010194-025-DWF; OGC Case No. 17-1179, granted the Petition to subsection 62-610.567(5), F.A.C., based on the Petitioner's demonstration that the rule would present a substantial hardship or violate the principles of fairness and that the purpose of the underlying statute would otherwise be met.

A copy of the Order or additional information may be obtained by contacting: Bill Evans, Northwest District, Department of Environmental Protection, 160 W. Government Street, Suite 308, Pensacola, Florida 32502-5794, telephone (850)595-0584, Bill.Evans@dep.state.fl.us, during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays or

[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?comm and=hitlist&\[freeText=\]&\[folderName=\]&\[profile=Permitting](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?comm and=hitlist&[freeText=]&[folderName=]&[profile=Permitting)

\_Authorization]&[creator=]&[entityType=any]&[createdDate To=]&[catalog=38]&[searchBy=Profile]&[sortBy=Document +Date]&[createdDate=]&{County=\_EQ\_OKALOOSA}&{District=\_EQ\_NWD}&{Facility-Site+ID=\_EQ\_FLA010194}&{Facility+Type=\_LK\_DOMESTIC+WASTEWATER}&{Application+Number=\_EQ\_FLA010194025}.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 RULE NO.: RULE TITLE:

62-604.400 Design/Performance Considerations  
 NOTICE IS HEREBY GIVEN that on April 18, 2018, the Department of Environmental Protection, received a petition for variance from Spring Lake Improvement District WWTP. The petition requested a variance from subparagraph 62-604.400(2)(a)1, F.A.C., which requires that emergency pumping capability shall be provided for all pump station that receive flow from one or more pump stations through a force main or pump station discharging through pipes 12 inches or larger. In lieu of a generator, the owner would purchase a 4-inch diameter vacuum-assisted solid handling pump capable of pumping three-inch diameter solids.” The pump station is located 250 feet west of the parking lot on Clubhouse Lane, Sebring, Florida, 33876. The petition has been assigned OGC No. 18-0212; Permit No. FLA997668-002-DWF/VO.  
 A copy of the Petition for Variance or Waiver may be obtained by contacting: Bill Robertson, (239)344-5657, Bill.D.Robertson@floridadep.gov; Department of Environmental Protection, South District, P.O Office Box 2549, Fort Myers, Florida 33902-2549; 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  
 Division of Environmental Health  
 RULE NOS.:RULE TITLES:

64E-11.002 Definitions  
 64E-11.004 Food Protection  
 NOTICE IS HEREBY GIVEN that on April 20, 2018, the Department of Health, received a petition for variance from Rita Palmer, representing Papa Johns. Specifically, the petitioner seeks a variance from subsections 64E-11.002(36) and 64E-11.004(2), Florida Administrative Code, which defines potentially hazardous food and states perishable food shall be stored at such temperatures as will protect against spoilage. All potentially hazardous food shall be kept at safe temperatures, 41 degrees Fahrenheit or below and 140 degrees Fahrenheit or above, except during necessary periods of preparation and service.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

## Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION  
 Education Practices Commission  
 The Education Practices Commission announces a hearing to which all persons are invited.  
 DATE AND TIME: May 15, 2018, 9:30 a.m., A Phone Hearing will begin or as soon thereafter as can be heard  
 PLACE: Phone Hearing, U.S. Toll Free: 1(888)419-5570, Participant passcode: 249 028 94  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.  
 A copy of the agenda may be obtained by contacting: Gretchen Kelley Brantley at (850)245-0455.  
 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: Gretchen Kelley Brantley at (850)245-0455. 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: Lisa Forbess or Gretchen Kelley Brantley at (850)245-0455.

DEPARTMENT OF LAW ENFORCEMENT  
 The Criminal and Juvenile Justice Information Systems (CJJIS) Council announces a telephone conference call to which all persons are invited.  
 DATE AND TIME: May 21, 2018, 2:15 p.m.  
 PLACE: Conference Call  
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Council members will discuss SB 1392.  
 A copy of the agenda may be obtained by contacting: Rachel Truxell, (850)410-7116, racheltruxell@fdle.state.fl.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: Rachel Truxell, (850)410-7116, racheltruxell@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Rachel Truxell, (850)410-7116, racheltruxell@fdle.state.fl.us.

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#### DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation, District 2 announces a hearing to which all persons are invited.

DATE AND TIME: May 10, 2018, 4:30 p.m. – 6:30 p.m.

PLACE: Lutheran Social Services, 4615 Philips Highway, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation invites you to a public hearing regarding proposed median modifications on Philips Highway (U.S. 1) Financial Project ID 435981-1 in Duval County, Florida to construct a partial Restricted Crossing U-Turn, or RCUT, at Reba Avenue and Putnam Avenue. The hearing will begin with an open house from 4:30 p.m. to 6:30 p.m., followed by a public comment period at 6:30 p.m. Public participation is sought without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Eric Shimer, Florida Department of Transportation District 2, 2198 Edison Avenue, Jacksonville, FL 32204, Phone: (904)360-5661 or 1(800)207-8236, ext. 5661, Email: eric.shimer@dot.state.fl.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 7 days before the workshop/meeting by contacting: Odette Struys at (904)831-3368 or 1(800)749-2967. 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).

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#### FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 23, 2018, 9:00 a.m.

PLACE: Charlotte County Sheriff's Office, 7474 Utilities Road, Punta Gorda, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review, (850)488-1293.

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: Florida Commission on Offender Review at ada@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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.

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#### REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 21, 2018, 10:30 a.m.

PLACE: South Florida Regional Planning Council, Oakwood Business Center, One Oakwood Boulevard, Suite 221, Hollywood, Florida 33020; Conference Call, Tel: 1(888)670-3525, Participant Pass Code: 2488435943#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Council business including, but not limited to, comprehensive plan amendment review, financial report review, review of the FY16-17 Audit, and update on the SFRPC move to the Oakwood Business Center.

A copy of the agenda may be obtained by contacting: the South Florida Regional Planning Council at the address and phone number which follow below.

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 hours before the workshop/meeting by contacting: South Florida Regional Planning Council, One Oakwood Boulevard, Suite 221, Hollywood, Florida 33020, (954)924-3653; fax: (954)924-3654. 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: South Florida Regional Planning Council, One Oakwood Boulevard, Suite 221, Hollywood, Florida 33020, (954)924-3653; fax: (954)924-3654, sfadmin@sfrpc.com.

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## DEPARTMENT OF THE LOTTERY

The Department of the Lottery announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 22, 2018, 4:00 p.m., Eastern Time

PLACE: Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Lottery will open Replies received in response to Invitation to Negotiate: Market Research, Analysis & Related Commodities and Services (Project #001-16/17) and will read aloud the names of the submitting Vendors.

For more information, please visit the Vendor Bid System (VBS) at:

[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu). A copy of the agenda may be obtained by contacting: Summer Silvestri at (850)487-7710 or by going to the Department of the Lottery's website: [www.flalottery.com](http://www.flalottery.com).

Any person requiring a special accommodation because of a disability at this public meeting should contact the individual identified above at (850)487-7710 (voice), or through the Florida Relay Service at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice), at least 24 hours prior to the meeting.

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

## Board of Employee Leasing Companies

The Board of Employee Leasing Companies announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, May 16, 2018, 9:30 a.m.

PLACE: Via Telephone Conference Call. To connect, dial 1(888)670-3525, Conference Pass Code: 2295006118

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

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: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984. 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: Board of Employee Leasing Companies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1984.

## DEPARTMENT OF HEALTH

## Board of Dentistry

The Board of Dentistry announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 18, 2018, 6:00 p.m., ET

PLACE: 1(888)670-3525 when prompted, enter conference code: 4552635641#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss matters related to dental hygiene.

A copy of the agenda may be obtained by contacting: [www.floridasdentistry.gov](http://www.floridasdentistry.gov). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact the Board Office at (850)245-4474.

## DEPARTMENT OF HEALTH

## Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 10, 2018, 3:00 p.m.

PLACE: Toll Free Number: 1(888)670-3525, 990 808 6106

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <http://floridasnursing.gov/meeting-information>.

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

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Board of Nursing  
Emergency Action

On May 2, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Jaquanda S. Perry, C.N.A., a/k/a/ Jaquanda Ketter., Certificate # CNA 316305. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY

The Hardee County Economic Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2018, 8:30 a.m.

PLACE: 412 West Orange Street, Room 103, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
General Business

A copy of the agenda may be obtained by contacting: Sandy Meeks, (863)773-9430.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Sandy Meeks, (863)773-9430. 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: Sandy Meeks, (863)773-9430.

POLK REGIONAL WATER COOPERATIVE

The Polk Regional Water Cooperative announces a public meeting to which all persons are invited.

DATES AND TIMES: May 16, 2018, 12:00 Noon, Orientation Program; May 16, 2018, 2:00 p.m., Board of Directors Meeting

PLACE: Polk County Tourism and Sports Marketing Headquarters Building located within the Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale, Florida 33823

GENERAL SUBJECT MATTER TO BE CONSIDERED: At 12:00 p.m., the Board of Directors of the Polk Regional Water Cooperative will hold an orientation geared toward new or presently sitting members of the PRWC Board of Directors, City Commissioners, City Managers, and Utility Directors.

At 2:00 p.m., the Board of Directors of the Polk Regional Water Cooperative will hold a regularly scheduled meeting to address subjects dealing with water conservation, project selection, funding, planning, and development, all as provided within the Interlocal Agreement creating the Cooperative.

A copy of the agenda may be obtained by contacting: Copies of the meeting agenda are available in the Documents & Agendas section of the Cooperative’s website, www.prcwwater.org or may be obtained by writing to the Polk Regional Water Cooperative, c/o Polk County Manager, Attn: Donna Purvis, P.O. Box 9005, Drawer CA01, Bartow, Florida, 33831-9005 or by calling Donna at (863)534-6444.

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: Polk County Communications Office, Administration Building, 330 W. Church Street, Bartow, Florida 33830, (863)534-6090. 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: Gene Heath, Coordinator, Polk Regional Water Cooperative by telephone at (813)920-0180 or by email at GeneHeath@PRWCwater.org.

ENTERPRISE FLORIDA, INC.

The Florida Opportunity Fund announces a public meeting to which all persons are invited.

DATE AND TIME: May 4, 2018, 3:00 p.m.

PLACE: Enterprise Florida, 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Florida Opportunity Fund Board Meeting

This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Russell Marcus at (917)442-9024.

THE VALERIN GROUP, INC.

The Florida Department of Transportation (FDOT), District Four announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 10, 2018, 5:30 p.m. – 7:30 p.m.

PLACE: Loxahatchee Groves Town Hall, 155 F Road, Loxahatchee Groves, FL 33470

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 419345-2-52-01

Project Description: State Road 80/Southern Boulevard from west of Lion Country Safari Road to Forest Hill Boulevard/Crestwood Boulevard, in Palm Beach County, FL

The project consists of widening SR 80/Southern Boulevard in western Palm Beach County from four to six lanes and adding pedestrian and bicycle enhancements. The 7.2-mile project in the Village of Royal Palm Beach, Village of Wellington, Town of Loxahatchee Groves and unincorporated Palm Beach County will include paved shoulders in rural areas, buffered bike lanes in urban areas and a 12-foot shared-use pathway. Other improvements include milling and resurfacing, drainage improvements, lighting, curb and gutter, guardrails, signage and pavement markings.

Construction will begin in spring 2018 and is estimated to be completed in summer 2021. The estimated construction cost is \$33 million.

During the informal open house, attendees will have the opportunity to review roadway improvements, construction plans and traffic control plans. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Jessica Lewis, FDOT Project Manager, at (561)370-1113 or by email at Jessica.Lewis@dot.state.fl.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 7 days before the workshop/meeting by contacting: Jessica Lewis, FDOT Project Manager, at (561)370-1113 or by email at Jessica.Lewis@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jessica Lewis, FDOT PM, at (561)370-1113 or by email at Jessica.Lewis@dot.state.fl.us.

Section VII  
 Notice of Petitions and Dispositions  
 Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Steven M Weaver, Sr., on April 2, 2018. The petition seeks the agency’s opinion as to the applicability of Section 489.105(3); 481.203(6) and 471.005(7), F.S., and DS 2011-082, as it applies to the petitioner.

Petitioner seeks a determination from the Board regarding whether or not certain entities or licensed professionals are allowed to provide “Construction Management” and if possible obtain a fee for the services. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039 or telephone: (850)487-1395 or by electronic mail: Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that Department of Financial Service, Division of State Fire Marshal has received the petition for declaratory statement from Charles H. Crowell on April 30, 2018. The petition seeks the agency’s opinion as to the applicability of FFPC, NFPA-1, section 63.3.1.2.4 & 633.3.1.2.4.1 (6th Ed.) as it applies to the petitioner.

Petitioner seeks clarification of FFPC, NFPA-1, section 63.3.1.2.4 & 633.3.1.2.4.1 (6th Ed.) as it applies to CO2 beverage systems.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sarah Marcos at Sarah.Marcos@myfloridacfo.com.

Please refer all comments to: Sarah Marcos at Sarah.Marcos@myfloridacfo.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services has received the petition for declaratory statement from Anthony C. Apfelbeck on May 1, 2018. The petition seeks the agency’s opinion as to the applicability of as it applies to the petitioner.

The Petition seeks the Department’s opinion as to: 1) Factors that differentiate the need to apply the mobile cooking operation regulations under FFPC/NFPA 1 section 50.7.2 versus the temporary cooking operation regulations under section FFPC/NFPA 1 section 50.7.3; 2) Whether cooking in a typical mobile food truck is considered a temporary cooking operation regulated under FFPC/NFPA 1 section 50.7.3?; 3) Whether cooking in a typical mobile food truck is a mobile cooking operation regulated under FFPC/NFPA 1 section 50.7.2?; 4) If FFPC/NFPA 1 section 50.7.3.4 was placed under FFPC/NFPA 1 section 50.7.3 by mistake?; and 5) If FFPC/NFPA 1 section 50.7.3.4 was not placed under FFPC/NFPA 1 section 50.7.3 by mistake, then is the intent to only apply FFPC/NFPA 1 section 50.7.3.4 to the temporary cooking operations of FFPC/NFPA 1 section 5.7.3 and not the mobile cooking operations of FFPC/NFPA 1 section 50.7.2?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sarah Marcos at Sarah.Marcos@myfloridaCFO.com.

Please refer all comments to: Sarah Marcos at Sarah.Marcos@myfloridaCFO.com.

Responses, motions to intervene, or requests for a hearing must be filed within 21 days of this Notice.

DEPARTMENT OF FINANCIAL SERVICES

Finance

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

On April 30, 2018, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Tiger Commissary Services, Inc.(TCSI). The petition seeks a declaratory statement from the Office on whether Petitioner is required to be licensed as a money service business. Petitioner argues that it is not engaged in the business of a money transmission because it does not receive funds for transmission. Rather, funds are received and/or transmitted entirely by third parties (i.e. jails and/or Heartland Payment Systems (HPS)). The Petitioner’s technology platform provides numerous services to its jail clients, of which is a link on its website to credit card processing functionality (credit card deposits where a direct contract between the jail and HPS exists to provide those services) and is an incidental component.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com

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

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

NONE

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

NONE

**Section IX  
Notice of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

NONE

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

NONE

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
2018026, Specialty Gases (Cylinder, Micro-Bulk, and Bulk)  
NOTICE OF Invitation to Bid: On behalf of the Florida Department of Environmental Protection’s the Procurement Office is soliciting formal, competitive, sealed bids from contractors for bid number 2018026, Specialty Gases (Cylinder, Micro-Bulk, and Bulk).

The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with Section 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](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)

**NORTHWEST FLORIDA AREA AGENCY ON AGING  
 IMPARTIAL DECISIONMAKERS**

The Northwest Florida Area Agency on Aging, Inc. is soliciting a registry of impartial decisionmakers in preparation for the CCE lead agency request for bid. The decisionmaker must meet the following minimum qualifications:

1. Be a member in good standing of The Florida Bar,
2. Have at least 5 years experience in the practice of administrative law, preferably with experience in government procurement procedures,
3. Have not been directly involved, or have any family member who was directly involved, in the intended award of the bid under protest,
4. Not be currently employed by, or have a family member currently employed by, the Northwest Florida Area Agency on Aging, or any lead agency or other agency that has filed a bid for lead agency designation with the Northwest Florida Area Agency on Aging, and,
5. Not have any conflict of interest that would affect the decisionmaker's impartiality in the specific proceedings.

Individuals interested in designation as an impartial decisionmaker must complete DOEA Form CCE-001, CCE Impartial Decisionmaker Application, May 2010. The form may be obtained by calling or emailing Amber McCool, (850)494-7101, mccoala@nwflaaa.org or Sharon Searcy, (850)494-7101, searcys@nwflaaa.org.

**Section XII  
 Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, April 25, 2018 and 3:00 p.m., Wednesday, May 2, 2018.

Rule No.	File Date	Effective Date
60Q-6.129	5/2/2018	5/22/2018
62-33.010	4/26/2018	6/1/2018
62-33.020	4/26/2018	6/1/2018
62-33.050	4/26/2018	6/1/2018
62-33.051	4/26/2018	6/1/2018
62-33.0511	4/26/2018	6/1/2018
62-33.054	4/26/2018	6/1/2018

62-33.055	4/26/2018	6/1/2018
62-33.056	4/26/2018	6/1/2018
62-33.060	4/26/2018	6/1/2018
62-33.062	4/26/2018	6/1/2018
62-33.071	4/26/2018	6/1/2018
62-33.075	4/26/2018	6/1/2018
62-33.090	4/26/2018	6/1/2018
62-33.201	4/26/2018	6/1/2018
62-33.301	4/26/2018	6/1/2018
62-33.302	4/26/2018	6/1/2018
62-33.310	4/26/2018	6/1/2018
62-33.311	4/26/2018	6/1/2018
62-33.315	4/26/2018	6/1/2018
62-33.320	4/26/2018	6/1/2018
62-33.340	4/26/2018	6/1/2018
62-33.350	4/26/2018	6/1/2018
62-33.351	4/26/2018	6/1/2018
62-33.360	4/26/2018	6/1/2018
62-33.395	4/26/2018	6/1/2018
62-33.402	4/26/2018	6/1/2018
62-33.405	4/26/2018	6/1/2018
62-33.407	4/26/2018	6/1/2018
62-33.417	4/26/2018	6/1/2018
62-33.427	4/26/2018	6/1/2018
62-33.431	4/26/2018	6/1/2018
62-33.437	4/26/2018	6/1/2018
62-33.443	4/26/2018	6/1/2018
62-33.447	4/26/2018	6/1/2018
62-33.449	4/26/2018	6/1/2018
62-33.450	4/26/2018	6/1/2018
62-33.451	4/26/2018	6/1/2018
62-33.453	4/26/2018	6/1/2018
62-33.457	4/26/2018	6/1/2018
62-33.474	4/26/2018	6/1/2018
62-33.475	4/26/2018	6/1/2018
62-33.485	4/26/2018	6/1/2018
62-33.493	4/26/2018	6/1/2018
62-33.496	4/26/2018	6/1/2018
62-33.550	4/26/2018	6/1/2018
62-33.630	4/26/2018	6/1/2018
62-33.631	4/26/2018	6/1/2018

62-33.632	4/26/2018	6/1/2018
62-33.635	4/26/2018	6/1/2018
62-304.305	4/27/2018	5/17/2018
64B5-7.005	4/26/2018	5/16/2018
64B15-13.001	4/27/2018	5/17/2018
64B15-14.007	4/27/2018	5/17/2018
64B29-2.001	5/1/2018	5/21/2018
64B29-2.002	5/1/2018	5/21/2018
64B29-2.003	5/1/2018	5/21/2018
64B29-2.004	5/1/2018	5/21/2018
64F-16.006	5/1/2018	5/21/2018
68B-14.004	4/30/2018	4/30/2018

**LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/*****
64B8-10.003	12/9/2015	**/**/*****
69L-7.020	12/15/2017	**/**/*****
69L-7.501	12/15/2017	**/**/*****

**DEPARTMENT OF HEALTH**

Emergency Action

On May 2, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jeffrey M. Abelon, L.M.T., License # MA 45690. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF HEALTH**

Board of Acupuncture

Emergency Action

On May 2, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Bijan Tanbakuchi, A.P., License # AP 3184. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was

fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF HEALTH**

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

On May 2, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the registration of Eva C. Gonzalez, I.M.H., Registration # IMH5943. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF HEALTH**

Board of Nursing

Emergency Action

On May 2, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Richard H. Horton, C.N.A., Certificate # CNA 210196. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF HEALTH**

Board of Nursing

Emergency Action

On May 2, 2018, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of Jaquanda S. Perry, C.N.A., a/k/a/ Jaquanda Ketter., Certificate # CNA 316305. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF HEALTH**

Board of Nursing

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DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NOS.:RULE TITLES:

65G-2.001 Definitions

65G-2.010 Fire and Emergency Procedures

Notice of Correction of Notice of Proposed Rule

The Notice of Proposed Rule published in Vol. 44 No. 55, March 20, 2018 issue of the Florida Administrative Register is corrected to add the following language:

Because this rule does not have an adverse impact on small business and will not likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule, the rule is not expected to require legislative ratification. The rule does not have an adverse impact on small business and is not likely to increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule because the rule simply clarifies the requirements of incident reporting that were previously in place.

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Section XIII  
Index to Rules Filed During Preceding  
Week

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

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