



c. An accurate scaled aerial photograph of the proposed mining site showing the boundary of the proposed mining site;

d. A map showing the proposed mining site property lines and land owned or controlled by the applicant. The map shall include:

(I) A north arrow,

(II) Date,

(III) Scale,

(IV) Streets,

(V) Utility lines,

(VI) Watercourses,

(VII) Rights of way,

(VIII) Easements, and

(IX) Structures within one mile of the proposed mining site;

e. A conceptual mining plan providing the approximate size, shape, and location of proposed mining operating features, including:

(I) Excavation areas;

(II) Processing facilities;

(III) Proposed schedule for excavation;

(IV) Type of mining; and

(V) Estimated depth of excavation;

f. Operations currently mining upon the effective date of this rule shall be allowed to continue operations, provided that the applicant submits within 30 days an application as described above, with all requested information.

g. A description of applicant's claims and complaints handling procedures required by sub-subparagraph 3.b. below.

3. A determination by the State Fire Marshal that the applicant has met the following standards:

a. The applicant has demonstrated that the applicant is primarily engaged in construction materials mining activities.

b. Each site permit holder shall provide to the State Fire Marshal evidence of a complaint handling procedure for the duration of the site permit.

(I) The complaint procedure shall include a mandatory response time from the quarry to the property owner, an inspection of the structure and the claimed defects.

(II) The site permit holder shall provide a process for documenting the alleged damages, comparing ground vibration levels to defects, including comparing alleged damages with the structural condition documented in the pre-blast survey.

(III) Investigation of a complaint shall be completed within 45 days of receipt of a complaint, with results or resolution of any investigation to be completed within 180 days.

(b) Standards for Site Permit Approval. A site permit shall be approved unless:

1. Any item listed in paragraph (3)(a) above is not provided.

2. Applicant fails to meet the standards listed in subparagraph (3)(a)3.

(c) License period. Each site permit shall be issued for a period of 10 years.

(d) Annual Report and Annual Permit Fee Procedure.

1. The mining activity covered by the site permit will be reviewed on an annual basis for compliance with Chapter 552, Florida Statutes, including but not limited compliance with the recordkeeping requirements.

2. The site permit holder shall annually provide:

a. A site permitting fee specified in (12) below shall be paid for each site permit.

b. An update of all information listed in (3)(a)2. above.

(e) Effect of Requirements of Other Agencies and Governmental Units. The issuance of a site permit does not relieve the applicant from any requirements lawfully imposed by any other federal, state, county, or municipal agency or governmental unit.

(4) Pre-blast Survey and Notification.

(a)1. A pre-blast survey shall be annually conducted or offered to be conducted of all structures within one mile of the mining site by an independent seismologist, vibration engineer, structural engineer, or their representative, or a similarly qualified individual who can provide evidence of experience and or education to conduct the survey.

2. The pre-blast survey shall consist of complete documentation of all visible interior and exterior defects observed.

3. The list of all pre-blast surveys shall be maintained for 10 years by the site permit holder, along with a map indicating the streets and structures involved.

4. If a structure owner refuses the pre-blast survey, the site permit holder shall document the refusal and maintain the record.

5. The cost of the pre-blast survey and any related services shall be born by the site permit holder.

(b) The pre-blast survey shall include:

1. Date and location of the survey;

2. Name of the person personally performing the survey;

3. Documentation of defects observed.

(c)1. The site permit holder shall annually provide written notification of pending blast operations to local county and municipal governments and all residents within one statute mile of the proposed blast site at least 10 days but no more than 30 days prior to the commencement of blasting.

2. The written notification shall consist of:

a. A description of the blasting that will take place;

b. The anticipated duration of the blasting operation;

c. The anticipated effects of the blasting operation; and

d. How to contact the user if there are any blast-related complaints.

(d) If blasting is suspended in an area for 90 days or longer, all residents or property owners within the one statute mile radius shall be renotified within 7 days prior to resumption of blasting.

(5) Ground Vibration, Frequency Limits.

(a)1. The maximum ground vibration shall not exceed the limits of particle velocity and frequencies established by the U.S. Bureau of Mines Report of Investigations No. 8507, Appendix B – Alternative Blasting Level Criteria (Figure B-1) when measured at the closer of:

a. The building nearest to the blasting area not owned or leased by the person engaged in the construction materials mining activities and at three points at the same distance at 90 degree intervals; or

b. One statute mile from the blasting area in the direction of the nearest structure and at three points at the same distance at 90 degree intervals.

2.a. The U.S. Bureau of Mines Report of Investigations No. 8507, Appendix B – Alternative Blasting Level Criteria (Figure B-1) is hereby adopted and incorporated by reference.

b. Copies of Appendix B, Figure B-1 may be obtained from the Bureau of Fire Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342.

(b) Ground vibration shall be measured for every blast at the locations identified in (a) above.

(c)1. All measurements shall be made by an independent seismologist using seismographic equipment meeting the specifications of the International Society of Explosives Engineers Blasters' Handbook, 17th Edition, Copyright 1998.

2. Measurements shall be taken and equipment shall be installed in accordance with the International Society of Explosives Engineers Blaster's Handbook, 17th Edition, Copyright 1998, which is hereby adopted and incorporated by reference and may be obtained from the International Society of Explosives Engineers, 29100 AVRA Road, Cleveland, Ohio 44131.

(d)1. All seismographic equipment used within the boundaries of the State of Florida shall be calibrated according to the manufacturer's specifications and shall be certified as accurate by the manufacturer on an annual basis or as needed.

2. If the manufacturer is unavailable for such certification, the certification shall be performed by a person approved by the State Fire Marshal. Such approval shall be granted if the certifying person is known to be independent and reliable.

3. Units not meeting current calibration guidelines shall be removed from service until calibration has been completed.

4. Calibration records shall be made available to the Division upon request.

(6) Airblast.

(a) Airblast limits shall conform with the limits established in Section 8-2 of National Fire Protection Association Standard Number 495, 1996 Edition, which is hereby adopted and incorporated by reference.

1. The codes and standards published by the National Fire Protection Association may be obtained by writing to the NFPA at: 1 Batterymarch Park, Quincy, Massachusetts 02269-9101.

2. All standards adopted and incorporated by reference in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

(b)1. Measurements shall be made by an independent seismologist using seismographic equipment meeting the specifications of the International Society of Explosives Engineers Blasters' Handbook, 17th Edition, Copyright 1998.

2. Measurements shall be taken and equipment shall be installed in accordance with the International Society of Explosives Engineers Blasters' Handbook, 17th Edition, Copyright 1998.

(7) Time and Date of Explosives Use.

(a) The use of explosives shall be conducted during daylight hours between 8:00 a.m. and 5:00 p.m. local time, Monday through Friday.

(b) No explosive blasting shall occur on Saturdays, Sundays, official holidays recognized by the State of Florida pursuant to section 110.117, Florida Statutes, or hours other than specified in the prior sentence unless consent is granted by the State Fire Marshal. Such consent shall be granted if the consent is in the interest of public safety.

(8) Blasting Activities Reporting. Each person engaged in construction materials mining activity shall submit to the Division or its delegatee, upon request, the results of ground vibration and airblast measurements on Form DI4-XXX, Construction Materials Mining Activities Blasting Monthly Report, which is hereby adopted and incorporated by reference. This form will be maintained in accordance with section 552.112, Florida Statutes.

(9) Local Government Notice.

(a) Each person engaged in construction materials mining activity shall submit written notification to the county and or municipality in which construction materials mining activity is to be conducted at least 20 days prior to any blasting.

(b) The notice shall be on Form DI4-XXY, Construction Materials Mining Activity Blasting Notice.

(c) As soon as practical, but no later than 1 hour prior to the time when a blast is scheduled to take place, the person or firm engaged in construction materials mining activity shall, if requested, notify the county or municipality of any revisions to the notice.

(10) Delegation of Authority.

(a) The delegation by the State Fire Marshal described in section 552.30(2), Florida Statutes, shall be accomplished by written agreement.

(b) Fees charged by the delegatee for activities specified in the agreement shall not exceed an amount calculated to cover the costs of the activities performed under the agreement.

(11) Fees. The fees for the site permit shall be \$4,000.00 for the initial permit and renewals and \$1,500.00 annual site permit fees. If the application or site evaluation exceeds 40 hours or 15 hours respectively a \$100.00 per hour fee will be included.

(12) Disciplinary Action; Site permit; Grounds For Denial; Nonrenewal, Suspension, Or Revocation Of A Site Permit.

(a) The State Fire Marshal shall investigate any alleged violation of Chapter 552, Florida Statutes, or this rule.

(b) The following acts constitute cause for disciplinary action:

- 1. Violation of any provision of Chapter 552, Florida Statutes, or any rule adopted pursuant thereto.
- 2. Violation of any codes, rules, or laws of this state or any municipality or county thereof.
- 3. Violation of the ground vibration, frequency limits set forth in section 552.30, Florida Statutes.
- 4. Failing to obtain, retain or maintain one or more of the qualifications for a site permit as specified in this chapter.
- 5. Making a material misstatement, misrepresentation, or committing fraud in obtaining or attempting to obtain a site permit.
- 6. Failing to maintain any record required pursuant to Chapter 552, Florida Statutes, and any rule or code adopted pursuant thereto.
- 7. Falsifying any record required to be maintained by Chapter 552, Florida Statutes, or rules adopted pursuant thereto.

(c) The lapse or suspension of a site permit by operation of law or by order of the State Fire Marshal or a court or its voluntary surrender by a site permit holder does not deprive the State Fire Marshal of jurisdiction to investigate or act in disciplinary proceedings against the site permit holder.

(d) In addition, the State Fire Marshal shall not issue a new site permit if it finds that the circumstance or circumstances for which the site permit was previously revoked or suspended still exist or are likely to recur.

(13) Nothing in this rule shall impact a county's or municipality's authority to exercise whatever powers are not prohibited by section 552.30, Florida Statutes.

Specific Authority 552.30 FS. Law Implemented 522.30 FS. History--New

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NO.:  
5E-1.023

RULE TITLE:  
Procedures for Landowners and Leaseholders to Submit the Notice of Intent to Comply with Nitrogen Best Management Practices

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 26, No. 49, December 8, 2000, Florida Administrative Weekly has been withdrawn.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Office of Plans and Construction**

RULE NO.:  
59A-5.022

RULE TITLE:  
Physical Plant Requirements for Ambulatory Surgical Centers

**NOTICE OF CHANGE**

Proposed amendments to the above referenced rule are being changed to address comments from staff of the Joint Administrative Procedures Committee (JAPC). The proposed amendments were originally published in Vol. 26, No. 39, Florida Administrative Weekly, September 29, 2000.

The Committee indicated that the acronym NFPA (the National Fire Protection Association) should be explained, and that mention of any NFPA codes should be incorporated by reference. The National Fire Protection Association (NFPA) establishes codes for life safety, fire safety and other safety elements in public buildings in the United States. The NFPA codes are referenced in subsection (10), which has been changed to incorporate them by reference and to list the address where they are available.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

59A-5.022 Physical Plant Requirements for Ambulatory Surgical Centers.

The following minimum standards of construction and specified minimum essential facilities which must be included in ambulatory surgical centers shall apply to all ambulatory surgical centers construction and existing ambulatory surgical centers on the effective date of these rules:

- (1) through (2) No change.
- (3) Elevators Where Required. All ambulatory surgical centers where either patients' beds or a critical service facility such as operating, delivery, diagnostic, recreation, patient dining, or therapy rooms, are located on other than one floor, shall have electric or hydraulic elevators and be in compliance

with the requirements of Chapter 399, F.S., and ~~61C-5 7C-5~~, F.A.C. (Florida Elevator Safety Code). At least one 2500-pound capacity elevator shall be installed as a minimum where recovery beds are located on any floor other than the floor of exit discharge, and designed to allow the entrance and exit of an ambulance stretcher (minimum size 22x78 inches)(559x1981 mm) in its horizontal position.

(4) through (8)(c) No change.

~~(d) Each operating room shall have at least three receptacles of the interchangeable type as defined in National Fire Protection Association Code as prescribed by Chapter 4A-4, F.A.C.~~

~~(d)(e)~~ Each patient recovery room shall have duplex receptacles as follows: one on each side for the head of each bed, for parallel adjacent beds only one receptacle is required between beds; receptacles for luminaries and motorized beds, if used; and one receptacle on another wall.

~~(e)(f)~~ Duplex receptacles for general use shall be installed approximately 50 feet apart in all corridors and within 25 feet of ends of corridors.

~~(f)(g)~~ No change.

(9) No change.

(10) Emergency Electric System. Provide a Level I, Type 10, Class 8 generator, in accordance with NFPA 110, incorporated by reference and available from the National Fire Protection Association, 1 Batterymarch Park, P. O. Box 9101, Quincy, MA 02269-9101, that conforms to a Type I system of NFPA 99, incorporated by reference and available from the National Fire Protection Association, 1 Batterymarch Park, P. O. Box 9101, Quincy, MA 02269-9101. There shall be an electrical service to provide power and light for a minimum period of 2 hours. The system shall operate emergency exit lighting, fire alarm systems and nurses' calling systems, surgical room lighting, recovery room lighting and shall power monitoring equipment and selected receptacles in the operating and recovery areas. Power may be supplied by batteries or an emergency generator.

Specific Authority 395.1055 FS. Law Implemented 395.1055 FS. History--New 6-14-78, Formerly 10D-30.22, Amended 2-3-88, Formerly 10D-30.022, Amended 6-11-97,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: James (Skip) Gregory, Chief, Bureau of Plans and Construction, Agency for Health Care Administration, Building #1, Room 145, 2727 Mahan Drive, Tallahassee, Florida 32308, (850)487-0713

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr., Executive Director, Agency for Health Care Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 22, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 8, 2000

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Division of Managed Care and Health Quality**

RULE NO.: 59A-23.003  
 RULE TITLE: Authorization Procedures

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S. published in Vol. 26, No. 50, December 15, 2000, issue of the Florida Administrative Weekly. The change is in response to comments received from the staff at the Joint Administrative Procedures Committee. The word "non-refundable" is deleted.

The rule shall now read as follows: All initial and renewal applications for authorization of a workers' compensation managed care arrangement shall be accompanied by a ~~non-refundable~~ fee of \$1,000 made payable to the agency.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Betty Jean Cettie, Health Services and Facilities Consultant, 2727 Mahan Drive, Mail Stop 45, Tallahassee, Florida 32308-5403, (850)414-8981

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Office of the Secretary**

DOCKET NO.: 99-50R

RULE CHAPTER TITLE: Recreational Trails Program  
 RULE CHAPTER NO.: 62S-2

RULE TITLES:	RULE NOS.:
Definitions	62S-2.070
General Requirements	62S-2.071
Application Requirements and Processing	62S-2.072
Evaluation Criteria	62S-2.073
Federal Approval	62S-2.074
Grant Administration	62S-2.075
Compliance Responsibilities	62S-2.076

**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. 26, No. 38, September 22, 2000, issue of the Florida Administrative Weekly.

62S-2.070 Definitions.

The terms used in this part are defined as follows:

(1) "Cash" means money paid by a grantee to purchase goods and services from private and independent sources for accomplishment of a Recreational Trails Program RTP project. In-kind service costs are not considered cash.

(2) through (13) No change.

(14) "Guidance" means the FHWA Recreational Trails Program Interim Guidance manual, dated April 1, 1999. The manual is available from the Department's Office of Greenways and Trails, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, (850)488-3701.

(15) through (25) No change.

(26) "PD&E" means the Project Development and Environment ~~Process Manual~~ developed by the Florida Department of Transportation (FDOT) to serve as a guide for compliance with state and federal environmental policy. ~~The PD&E Manual may be downloaded from the FDOT Website: www.dot.state.fl.us/emo.~~

(27) "Plan" means the State Comprehensive Outdoor Recreation Plan SCORP, Local Government Comprehensive Plan or Land Management Plan, adopted under s. 253.034, F.S.

(28) through (40) No change.

(41) "RTP Advisory Committee" means a committee established by the Florida Greenways and Trails Council appointed pursuant to s. 260.0142(5), F.S. for the purpose of developing the RTP Priority List.

(42) through (43) No change.

(44) "SCORP" means the State Comprehensive Outdoor Recreation Plan for the State of Florida prepared under section 375.021, F.S. A copy of the SCORP may be obtained from the Office of Park Planning, Division of Recreation and Parks, 3900 Commonwealth Boulevard, Mail Station 525, Tallahassee, Florida 32399-3000.

(45) through (46) No change.

Law Implemented 260.016(1)(d),(1)(f),(1)(h),(2)(a)2. FS.

62S-2.071 General Requirements.

The following constitutes the general requirements for the eligibility for and administration of the program.

(1) through (6) No change.

Law Implemented 260.016(1)(d),(1)(f),(1)(h),(2)(a)2. FS.

62S-2.072 Application Requirements and Processing.

The Department shall approve applications for program grants in order of priority until all program funds are depleted under the following standards and criteria:

(1) Eligible Applicants. All local governmental entities and state or federal agencies, federally or state recognized Indian tribal governments which have the legal responsibility for the provision of outdoor recreational sites and facilities for the use and benefit of the public, and organizations registered as active Florida nonprofit corporations which have an agreement with a governmental agency to develop public lands, are eligible to submit RTP applications.

(2) Project Eligibility.

(a) Purpose: RTP grants shall only be awarded to grantees for projects that are for the primary purpose of providing recreational trails for the public. Projects must be designed to comply with s. 260.016(1)(e), F.S., and the Guidance.

(b) through (e) No change.

(3) No change.

(4) Prohibited Uses.

(a) No change.

(b) Construction of recreational trails for motorized use on U.S. Forest Service ~~or Bureau of Land Management~~ land unless the land is designated for motorized use and such construction is consistent with the approved U.S. Forest Service land resource management plan, a copy of which may be obtained from the U.S. Forest Service, 325 John Knox Road, Tallahassee, Florida 32303.

(c) No change.

(d) Construction or expansion of existing trails for motorized vehicles on state owned property unless such use is consistent with the land management plan required by s. 253.034, F.S. for the site.

(e) through (f) No change.

(5) through (6) No change.

(7) Priority Lists. A total point score shall be assigned to each application upon evaluation of each project under sections 62S-2.073 and 62S-2.074, F.A.C. The RTP Advisory Committee shall prepare one priority list for each category. Applications shall be ranked on the priority list according to assigned point scores. The application with the highest score will receive the highest rank. The funds used for the project shall reduce that particular category's allocation accordingly. The remaining applications will be arranged in descending order according to their assigned point scores. Applications scoring below the minimum, established pursuant to Section 62S-2.072(6), F.A.C., shall not be placed on the priority list. The priority list shall include recommendations for distribution of available program funds. In the event there are insufficient applications to account for all program funds assigned to motorized or nonmotorized category, the RTP Advisory Committee may vote to move deny assured access to funds from one in that category to another. In order to determine whether or not to move funds between motorized and nonmotorized categories, the RTP Advisory Committee shall meet and shall make a determination that there are insufficient applications to use all funds available in that category for that year, and that there is a likelihood that there will be an insufficient amount of applications expected for the next submission cycle. The remaining or a portion of the funds, as determined by the RTP Advisory Committee, may then be allocated to another category.

(8) through (9) No change.

(10) Unfunded and Ineligible Applications. Any unfunded or ineligible applications ~~shall may~~ be returned to the applicant upon written request from the applicant. If no such request is made within 30 days after notification of grant awards, unfunded applications shall be discarded by staff.

(11) No change.

Law Implemented 260.016(1)(d),(1)(f),(1)(h),(2)(a)2. FS.

62S-2.073 Evaluation Criteria.

Pursuant to Subsection 62S-2.072(7), F.A.C., a total point score shall be assigned to each eligible application after an evaluation according to the application criteria which follows:

- (1) No change.
- (2) General Criteria.

(a) The project implements the applicant’s adopted local comprehensive plan (city or county); or the land management or recreation or trail plan of a state or federal agency such as those referenced in s. 62S-2.072(4)(b) and (d), SCORP, and s. 253.034, F.S., and other similar plans and; is included in their Capital Improvement Plan (CIP) or similar plan during the current year or one of the next three (3) fiscal years:

10 points  
or

is included as part of the plan through a resolution or agency commitment committing the applicant to amend their CIP or similar plan to include the project should the applicant receive program funds:

(b) through (g) No change. 5 points

(h) Project is located on or connects with the a Florida National Scenic Trail or National Recreation Trail: 3 points

- (i) through (l) No change.
- (3) No change.
- (4) Specific Criteria for Nonmotorized Trail Projects.

(a) No change.  
(b) The project will support compatible recreational trail use for the greatest number of the following:

- Bicycling: 3 points
- Skating: 3 points
- Day Hiking: 3 points
- Equestrian Activities: 3 points
- Fitness Activities: 3 points
- Overnight or Long Distance Backpacking: 3 points
- Aquatic Activity: 3 points
- Other Nonmotorized Recreational Trail Use: 3 points

(5) Specific Criteria for Motorized and Nonmotorized Mixed-Use Project.

- (a) No change.
- (b) The project will support compatible recreational trail use for the greatest number of the following:

- Off-Road Motorcycles: 3 points
- All-Terrain Vehicles: 3 points
- Off-Highway Vehicles (high clearance vehicles): 3 points
- Other Motorized Recreational Trail Use: 3 points
- Bicycling: 3 points
- Skating: 3 points
- Day Hiking: 3 points

- Equestrian Activities: 3 points
- Fitness Activities: 3 points
- Overnight or Long Distance Backpacking: 3 points
- Aquatic Activity: 3 points
- Other Nonmotorized Recreational Trail Use: 3 points
- (6) No change.

Law Implemented 260.016(1)(d),(1)(f),(1)(h),(2)(a)2. FS.

62S-2.074 Federal Approval.

- (1) through (4) No change.

Law Implemented 260.016(1)(d),(1)(f),(1)(h),(2)(a)2. FS.

62S-2.075 Grant Administration.

The following constitutes procedures for administration of program grants:

- (1) No change.
- (2) PD&E Process. All approved projects are required by FHWA to complete the PD&E Process. This is accomplished by the applicant’s submittal of the PD&E Data Survey, OGT-15, effective date [effective date], hereby incorporated by reference and available from the Department’s Office of Greenways and Trails, 3900 Commonwealth Boulevard, Mail Station 795, Tallahassee, Florida 32399-3000, (850)488-3701. Upon final Class of Action Determination and Department approval of the commencement documentation, the Department shall notify the grantee to proceed with project construction. Grantee may not proceed without such notification.

(3) through (6) No change.

(7) Development Projects. The following constitute the specific procedures for administration of development projects.

(a) Grant Period. The grantee will have ~~up to~~ two years from the effective date of the project agreement to complete the project. At the written request of the grantee, Department staff will extend this period for good cause such as financial hardship, public controversy, material shortage, unexpected weather conditions, or other major factors beyond grantee’s control. Only two one-year ~~years total~~ extensions shall be allowed. After four years all funds not paid revert to FHWA.

(b) No change.

(c) Project Development & Environment Process. The grantee shall provide all information and appropriate documentation as required by OGT-15, referenced in subparagraph (2) of this section ~~the PD&E Manual~~. The Department shall complete the process on the grantee’s behalf.

(d) through (f) No change.

Law Implemented 260.016(1)(d),(1)(f),(1)(h),(2)(a)2. FS.

62S-2.076 Compliance Responsibilities.

The following constitute the general requirements for program compliance:

- (1) through (8) No change.

Law Implemented 260.016(1)(d),(1)(f),(1)(h),(2)(a)2. FS.

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE NO.: 64B1-6.005  
RULE TITLE: Standards for Approval of Continuing Education Credit

**NOTICE OF PUBLIC HEARING**

The Board of Acupuncture hereby gives notice of a public hearing on the above-referenced rule to be held on April 27, 2001 at 9:00 a.m., at 4042 Bald Cypress Way, Room 301, Tallahassee, Florida. The rule was originally published in Vol. 26, No. 50, of the December 15, 2000, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Acting Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board's Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

**Section IV  
Emergency Rules**

**NONE**

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

**DEPARTMENT OF STATE**

NOTICE IS HEREBY GIVEN that on January 8, 2001 the Department of State, Division of Cultural Affairs, received a Petition for Waiver of Rule IT-1.001(4)(b), Florida Administrative Code, from Miami Children's Museum relating to grants CFG 99-9014 and CFG 2K-9023. Miami Children's Museum requests that the Department grant a waiver of the change of venue restriction, allowing the museum to maintain its Cultural Facilities Program grant and construct the museum at a different location.

A copy of the petition may be received from: Cara Martin, Agency Clerk, Department of State, PL-02, The Capitol, Tallahassee, Florida 32399-0250. Comments on the petition must be received no later than 14 days from the publication of this notice.

**DEPARTMENT OF TRANSPORTATION**

NOTICE IS HEREBY GIVEN that the Florida Department of Transportation has received a Petition for Waiver from Petitioner, Precision Traffic Counting, Inc., d/b/a Buckholz Traffic, on February 21, 2001.

Petitioner requests a waiver whereby the Department would suspend the remaining period of revocation ordered pursuant to Rule 14-22.012, Florida Administrative Code. The aforementioned rule provides for the suspension, revocation, or denial of a contractor's qualification to bid for good cause, as that term is defined in Section 337.16(2), Florida Statutes, thereby prohibiting the contractor from bidding on any Department contract for which pre-qualification is required. In addition, Rule 14-22.012, Florida Administrative Code, provides for a determination of non-responsibility to bid on any other construction or maintenance contract and from acting as a material supplier, subcontractor, or consultant on any Department contract or project during the period of suspension, revocation, or denial.

A copy of the Petition for Waiver, DOT Case No.: 01-030, may be obtained by written request from the Clerk of Agency Proceedings, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458.

**PUBLIC SERVICE COMMISSION**

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from MHC-DeAnza Financing Limited Partnership d/b/a Buccaneer Water Service in Docket No. 001219-WU, seeking waiver from Rule 25-30.320(2), Florida Administrative Code. The rule addresses refusal or discontinuance of service by water and/or wastewater utilities.

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

For additional information, please contact Jennifer Brubaker, Senior Attorney, Division of Legal Services, at the above address or telephone (850)413-6199.

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on February 14, 2001, the South Florida Water Management District (SFWMD) received a Petition for Waiver (Application 010214-4) from the Florida Fish and Wildlife Conservation Commission for a project known as J W Corbett Wildlife Management Area Flood Control Improvement, located in Palm Beach County. The petition seeks relief from Rule 40E-1.607, F.A.C., as allowed by Section 120-542, F.S., pertaining to the payment of the permit application processing fee for Application 001208-18 which is currently under review for modification of Environmental Resource Permit 50-00251-S.