

Rulemaking Authority 560.105, 560.118, 560.141, 560.2085, 560.209, 560.403 FS. Law Implemented 560.118, 560.1401, 560.141, 560.205, 560.2085, 560.209, 560.403 FS. History—New 1-13-09, Amended _____.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that Bellsouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast's petition for waiver of subsection 25-4.040(2), Florida Administrative Code, filed February 13, 2009, in Docket No. 090082-TL was denied by the Commission by Order No. PSC-09-0492-PAA-TL, issued July 8, 2009, consummated by Order No.: PSC-09-0529-CO-TL, issued July 31, 2009. The rule addresses the requirement of a local exchange company to furnish one copy of the residential listings section of the telephone directory to its subscribers on an up front basis. The petition was denied; however, a temporary rule waiver for a period of two (2) years was granted. Notice of the petition was published in the F.A.W., on March 6, 2009.

A copy of the Order can be obtained from: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has received a joint petition from Florida Power & Light Company and Progress Energy Florida, Inc., filed on July 31, 2009, in Docket No. 090009-EI, seeking a variance from or partial waiver from subparagraph 25-6.0423(5)(c)4., Florida Administrative Code. The rule prescribes the time frame within which the utility must file revisions to its fuel and purchased power cost recovery filings. Comments on the petition should be filed with the: Florida Public Service Commission, Office of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

A copy of the Order can be obtained from either: Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770 or the Commission's Homepage at: <http://www.floridapsc.com>. For additional information, please contact: Keino Young, Office of the General Counsel, at the above address or (850)413-6226.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Agency for Health Care Administration has issued an order.

The Agency for Health Care Administration has entered a Final Order denying the Petition for Waiver from Rule 59A-7.020, F.A.C., filed by DVA Laboratory Services Inc., on June 3, 2009. The Agency issued its Order on July 23, 2009, and a Corrected Order on July 30, 2009. The corrected Order informed DVA of the administrative procedures required to challenge the Agency's action only. The Petition was assigned Agency Case Number 2009000045. The following is a summary of the agency's Order on the petition: The Agency for Health Care Administration has issued a Final Order declaring that DVA's request for waiver did not show that DVA had a substantial hardship.

A copy of the Order may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on July 28, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building

Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, 6000 Park Place Condominium Association, Inc., 3001 Executive Drive, Suite 260, Clearwater, FL 33762, and location of 5849 Park Street, North, St. Petersburg, FL 33709, SN 37440, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Steve Carpenter, Association Manager (VW 2009-332).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 28, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Addison Condominium Association, Inc., 1500 South Ocean Blvd., Boca Raton, FL 33432, and location of the same, SN 35427-35433, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Bud Guyer, General Manager (VW 2009-333).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Rule 3.11.3, regarding Fire Service, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Lakesie at Delray, 1915 Lavers Circle, E106, Delray Beach, FL 33444, and location of Buildings D, E, F, and G, for SNs 36241, 36242, 36553, and 36554, requests the variance due to time extension and to economic/financial hardship. The petition was received from Joseph W. La Rue, President (VW 2009-341).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Admiralty of Vanderbilt Beach, 6305 Wilshire Pines Circle, #504, Naples, FL 34108, and location of 9415 Gulfshore Drive, Naples, FL 34108, SNs 36137, requests the

variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Beverly Rondeau, Manager. (VW 2009-342)

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Caxambas Tower Condominium Association, Inc., and location of 1036 S. Collier Blvd., Marco Island, FL 34145 SNs 26345 and 26346, requests the variance for time extension to complete repairs and for economic/financial hardship. The petition was received from Cathy Ballinger, President (VW 2009-343).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the Department of Business And Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unspecified codes. The petitioner, Azalea Trace, an ACTS Retirement-Life Community, 10100 Hillview Drive, Pensacola, FL 32514, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Jeff Rock, Executive Director (VW 2009-344).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Rule 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, University Community Medical Center, Inc., 13801 Bruce B. Downs Blvd., Tampa, FL 33613, SN 23876, requests the variance due to time extension and to economic/financial hardship. The petition was received from B.A. Bobanic, Property Manager (VW 2009-345).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.1 and A17.3, Rule 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Resource Property Management, 7300 Park Street, Seminole, FL 33777 and location of Shipwatch I, 11730 Shipwatch Dr., Largo, FL 33774, SNs 35372-35373, requests the variance for time extension to complete repairs and for economic/financial hardship. The petition was received from Gary Niznik, Property Manager (VW 2009-346).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT University Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL 32803 and location of 3452 Lake Lynda Drive, Orlando, FL 32817-1472, SNs 14080, 41085 and 41086, requests the variance for time extension to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-347). A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 31, 2009, the Department of Business & Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for ASME A17.3, Rule 2.7.4, Restricted Opening of Doors, as adopted by Chapter 30, Section 3001.2, Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner DRA/CRT University Center, 930 Woodcock Road, Ste. 127, Orlando, FL 32803 at location DRA/CRT University Center d/b/a Laurel Building, 3504 Lake Lynda Drive, Orlando, FL 32817-1419, for SNs 40890 through 40892 requests the variance due to economic financial burden. The petition was received from Pam Magda, Property Manager (VW 2009-348).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4.,

as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of St. Paul Building, 1080 Woodcock Rd., Orlando, FL 32803-3715, SN 4800, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-349).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Palmetto Building, 1040 Woodcock Rd., Orlando, FL 32803-3510, SN 7558, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-350).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Lexington Building, 3319 Maguire Rd., Orlando, FL 32803-3520, SN 10207, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-351).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The

petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Langley Building, 3751 Maguire Rd., Orlando, FL 32803-3011, SN 30081, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager. (VW 2009-352).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Independence Building, 1010 Executive Center Dr., Orlando, FL 32803, SN 6792, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-353).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Hollister Building, 3535 Lawton Rd. Orlando, FL 32803-3743, SN 23211, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-354).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930

Woodcock Rd., Ste. 127, Orlando, FL, and location of Forrestal Building, 930 Woodcock Rd., Orlando, FL 32803-3713, SN 12047, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-355).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN that on July 30, 2009, Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires restriction of doors from Pam Magda on behalf of DRA/CRT Orlando Central Center LLC, Essex Building, License Number 7301. The petitioner is requesting additional time to complete the costly upgrade due to economic hardship.(VW 2009-356)

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

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Enterprise Building, 1001 Executive Center Dr., Orlando, FL 32803-3520, SNs 7912, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-357).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Chandler Building Orlando, 3438 Lawton Rd., Orlando, FL 32803-2948, SNs 22109, requests the variance for an extension

of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-358).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Carr Building, 3113 Lawton Rd., Orlando, FL 32803-3519, SNs 4156, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-359).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Bennington Building, 3555 Maguire Blvd., Orlando, FL 32803-3715, SNs 9244, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-360).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Tedder Building, 988 Woodcock Rd., Orlando, FL 32803-3715, SNs 7052, requests the variance for an extension of time to

complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-361).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4., as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, DRA/CRT Orlando Central Center, LLC, 930 Woodcock Rd., Ste. 127, Orlando, FL, and location of Amherst Building, 3203 Lawton Rd., Orlando, FL 32803-2935, SNs 8846, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Pam Magda, Property Manager (VW 2009-362).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on July 30, 2009, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(5), Florida Administrative Code, Paragraph 4-301.12(A), 2001 FDA Food Code, Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code, and Paragraph 5-202.11(A), 2001 FDA Food Code from Cantina located in Lake Buena Vista. The above referenced F.A.C. addresses the requirement that each establishment have facilities for washing, rinsing and sanitizing dishes and utensils and requirement that each establishment must discharge sewage into an approved collection system and have an approved plumbing system installed. They are requesting to utilize the dishwashing facilities located within another licensed establishment and use holding tanks to provide potable water and to collect waste water at the hand wash sink.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia E. Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 29, 2009, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received on May 4, 2009 a Petition for a Routine Variance for subsections 61C-4.010(7) and 61C-4.010(6), Florida Administrative Code, from New China Restaurant located in Miami. The above referenced F.A.C. addresses the requirement that customer bathrooms be of easy and convenient access. They are requesting to utilize a bathroom for customer use that has a travel distance over 300 feet.

Notice of this petition was filed and published in Vol. 35, No. 19, May 15, 2009, of the Florida Administrative Weekly. The variance was approved on July 29, 2009, contingent upon the Petitioner ensuring the travel path to the rear of the establishment is accessible and the bathroom located within the rear of the establishment is maintained in a clean and sanitary manner and is provided with hot and cold running water under pressure, soap, approved hand drying devices, and available during all hours of operation. Access to the rear bathroom cannot be through a food preparation, food storage or warewashing area. The Petitioner shall also ensure directional signage is installed in the establishment clearly stating the location of and travel path to the bathroom. If the access to the bathroom changes, updated information for use of the bathroom is required immediately. Any violation of the variance is the equivalent of a violation of the rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Lydia E. Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

NOTICE IS HEREBY GIVEN THAT on August 20, 2008, the Department of Environmental Protection, Division of Air Resource Management has issued an order.

An Order Granting Variance was issued under Section 120.542, F.S., from subparagraph 62-296.418(2)(b)2., F.A.C., for the Combs Oil Company bulk gasoline plant located at 76 Industrial Boulevard, in Naples, Florida. The Petition for Waiver was received by the Department on May 30, 2007. Notice of receipt of the petition was published in the Florida Administrative Weekly on June 22, 2007. Subparagraph 62-296.418(2)(b)2., F.A.C., requires installation and operation of vapor collection and control systems on loading racks at bulk gasoline plants which commence operation on or after August 1, 2007. Bulk gasoline plants which began operation

prior to August 1, 2007, are not subject to the requirement of installation and operation vapor collection and control systems on the loading racks. Combs Oil Company has demonstrated that applicability of subparagraph 62-296.418(2)(b)2., F.A.C., to its bulk gasoline plant would violate principles of fairness based on circumstances outlined in the Order.

A copy of the Order may be obtained by contacting: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on July 28, 2009, the Department of Environmental Protection, received a petition for a temporary variance from the requirements of subparagraph 62-761.400(3)(a)2., F.A.C., for providing financial responsibility for single-walled underground storage tanks where insurance has been cancelled for certain facilities owned by The Radiant Group, LLC, N.C.J. Investment Co., Gas Kwick, Inc., and O'Brady's Ark, LLC., until the facilities are closed or upgraded with secondary containment. OGC Case number is 09-3246.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lewis Cornman, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #4525, Tallahassee, Florida 32399-2400, (850)245-8846, e-mail: Lewis.Cornman@dep.state.fl.us

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on July 27, 2009, the Department of Health, received a petition for Variance from subsection 64E-11.007(7), Florida Administrative Code (F.A.C.), from Gold Mouse, Inc. d/b/a Beach Shack, located at 1 Minutemen Causeway, Cocoa Beach, Florida 32931. This rule section requires all openings to the outside air, including windows, doors, skylights, transoms, intake and exhaust ducts to be effectively protected against the entrance of flies and other flying insects by self-closing doors which open outward, closed windows, screening, controlled air currents or other effective means. Screening material shall not be less than 16 mesh to the inch or equivalent and screens for windows, doors, skylights, transoms and other openings to the outside air shall be tight fitting and free of breaks. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ric Mathis, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

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

DATE AND TIME: Tuesday, September 15, 2009, 9:00 a.m. – conclusion

PLACE: R. A Gray Building, 500 S. Bronough St., Room 306B, Tallahassee, Florida, via teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting.

A copy of the agenda may be obtained by contacting: Pam Stanley at (850)245-6302.

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: Pam Stanley at (850)245-6302. 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: Pam Stanley at (850)245-6302.

The **National Register Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 16, 2009, 9:00 a.m. – conclusion

PLACE: R. A. Gray Building, 500 S. Bronough St., Room 306B, Tallahassee, Florida, via teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: National Register Nominations.

A copy of the agenda may be obtained by contacting: Pam Stanley at (850)245-6302.

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For more information, you may contact: Pam Stanley at (850)245-6302.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Division of Plant Industry** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2009, 10:00 a.m.

PLACE: Florida Department of Agriculture, Bureau of Citrus Budwood Registration, 9870 N. W. 42nd Court, Chiefland, FL 32626

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citrus Budwood Technical Advisory Committee Meeting – citrus budwood issues.

A copy of the agenda may be obtained by contacting: Mike Kesinger at (863)298-7712.

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: Mike Kesinger at (863)298-7712. 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).

NOTICE OF CORRECTION – Division of Forestry, Florida Forestry Council announces a public meeting to which all persons are invited.

DATE AND TIME: September 8, 2009, 1:30 p.m. (EST)

PLACE: The Renaissance Resort at World Golf Village, 500 South Legacy Trail, St. Augustine, Florida 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates on the Division of Forestry programs.

A copy of the agenda may be obtained by contacting: Jim Karels, Director, Florida Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-4274.

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 10 days before the workshop/meeting by contacting: Jim Karels, Director, Florida Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-4274. 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).