

**Section I**

**Notices of Development of Proposed Rules and Negotiated Rulemaking**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

**RULE NO.:** 5E-1.012  
**RULE TITLE:** Reports and Inspection Fee Payment, Inspection Fees, Reporting, Continuous Bond, Certificate of Deposit Requirement

**PURPOSE AND EFFECT:** To provide a reference for the Application for Monthly Report of Fertilizer Sold in the State of Florida, (DACS-13239, Rev. 08/08) and Application for Monthly Fertilizer Tonnage Reporting, (DACS-13238, Rev. 05/08), not previously referenced in rule language, to update the rule tonnage reporting requirements, to provide fertilizer companies the means to submit the above referenced forms online using the web based application.

**SUBJECT AREA TO BE ADDRESSED:** Forms to be utilized for reporting monthly fertilizer tonnage sales and reporting statistical tonnage data.

**RULEMAKING AUTHORITY:** 570.07(23), 576.181 FS.

**LAW IMPLEMENTED:** 576.041 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 WEEKLY.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mr. Bruce Nicely, Chief of Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399, (850)487-8731

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

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Division of Housing and Community Development**

**RULE NOS.:** 9B-43.0031, 9B-43.0041, 9B-43.0051, 9B-43.0061, 9B-43.0071  
**RULE TITLES:** Definitions, Application and Administrative Requirements, Grant Administration and Project Implementation, Emergency Set-Aside Assistance, Section 108 Loan Guarantee Program

**PURPOSE AND EFFECT:** To seek input, exchange ideas and gather information that can be utilized in the development of a program rule and application for Federal Fiscal Year 2009. At the workgroup meeting, staff from the CDBG program will provide an overview of the program and answer questions. Interested parties are encouraged to attend. Recommendations for rule change and/or revisions will be accepted prior to the workshop.

**SUBJECT AREA TO BE ADDRESSED:** Florida Small Cities Community Development Block Grant Program Chapter 9B-43, F.A.C.

**RULEMAKING AUTHORITY:** 290.044, 290.048 FS.

**LAW IMPLEMENTED:** 290.042, 290.043, 290.044, 290.0455, 290.046, 290.047, 290.0475 FS.

**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** December 21, 2009, 1:30 p.m. – 5:00 p.m.

**PLACE:** Florida Department of Community Affairs, 2555 Shumard Oak Boulevard (Room 250L) Tallahassee, Florida. Participation will be allowed utilizing communications media technology, specifically toll free call in number: 1(888)808-6959; conference code 6518651.

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: the Department of Community Affairs at (850)487-3644. This also includes anyone with an English language deficiency. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Jacquelyn Dupree, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; phone: (850)487-3644; e-mail: jackie.dupree@dca.state.fl.us

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

**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."

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NO.: 40B-9.081  
 RULE TITLE: Disposition of Surplus Real Property  
 PURPOSE AND EFFECT: The purpose of rule development is to revise the term "District lands" to "District real property" in the above section of Chapter 40B-9, Florida Administrative Code, consistent with a proposed amendment to subsection 40B-9.021(5), F.A.C., where that term is defined.

SUBJECT AREA TO BE ADDRESSED: This notice of proposed rule development will allow the District to include this amendment in the amendments for which a notice of proposed rule development was published on October 9, 2009.

RULEMAKING AUTHORITY: 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.103, 373.139, 373.59 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Gwen Lord, Business Resource Specialist, Suwannee River Water Management District, 9225 C.R. 49, Live Oak, Florida 32060, (386)362-1001 or (800)226-1066 (FL only).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40B-9.081 Disposition of Surplus Real Property Land.

(+) The District may sell or exchange District real property lands considered surplus in accordance with Section 373.089, F.S.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 270.11, 373.103, 373.139, 373.59 FS. History--New 3-1-83, Amended 5-26-88, 5-31-09,\_\_\_\_\_.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Division of Facilities Management**

RULE NOS.: 60H-1.001  
 RULE TITLES: Definitions  
 60H-1.002 Division Approval; When Required  
 60H-1.003 Standard Lease Agreement Form  
 60H-1.004 Filing of Leases  
 60H-1.006 Escalation Clauses  
 60H-1.007 Right-to-Terminate Clause Required  
 60H-1.009 Notice of Renewal  
 60H-1.013 Fire Code Compliance in Leased Space  
 60H-1.015 Leases of 5,000 Square Feet or More  
 60H-1.017 Turnkey (Lease) Construction Program  
 60H-1.022 Prior Approval of Space Need

60H-1.025 Disclosure Statement – Private Entities  
 60H-1.026 Disclosure Statement – Public Officials  
 60H-1.027 Legal Review  
 60H-1.028 Information and Forms  
 60H-1.029 Evaluation of Responses  
 60H-1.030 Rental Rate Guidelines for Privately Owned Space

PURPOSE AND EFFECT: To amend Chapter 60H-1, F.A.C., in order to provide greater detail and explanation related to the statutory requirements for leasing of privately owned space by state agencies. This includes responding to comments from the Joint Administrative Procedures Committee (JAPC) and rule conformity with statute changes in Chapters 2007-220, 2007-73 and 2009-77, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Administrative procedures for state agency’s leasing of privately owned space will be adjusted to meet continuing and amended statutory requirements.

RULEMAKING AUTHORITY: 255.249, 255.25, 255.503 FS.

LAW IMPLEMENTED: 255.249, 255.21, 255.25, 255.503, 255.254, 281.02 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, January 13, 2010, 1:30 p.m. – 4:00 p.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Anthony Andreala at (850)488-3759. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony Andreala, Chief of Real Property Administration, Division of Real Estate Development and Management, 4050 Esplanade Way, Suite 315F, Tallahassee, Florida 32399-0950, (850)488-3759; Anthony.Andreala@dms.myflorida.com  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**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."

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-6.001	General
64E-6.003	Permits
64E-6.004	Application for System Construction Permit
64E-6.010	Septage and Food Establishment Sludge
64E-6.0101	Portable Restrooms and Portable or Stationary Holding Tanks
64E-6.012	Standards for the Construction, Operation, and Maintenance of Aerobic Treatment Units
64E-6.013	Construction Materials and Standards for Treatment Receptacles
64E-6.015	Permitting and Construction of Repairs
64E-6.019	Requirements for Registration
64E-6.023	Certification of Partnerships and Corporations
64E-6.026	Applications for Innovative System Permits and System Construction Permits
64E-6.027	Permits
64E-6.028	Location and Installation

PURPOSE AND EFFECT: Amend rules to incorporate forms used in the administration of the onsite sewage program.

SUBJECT AREA TO BE ADDRESSED: Update references to forms incorporated in Chapter 64E-6, Florida Administrative Code. The Forms are used in the application for permitting, permitting, inspection, operation, maintenance and repair of onsite sewage treatment and disposal systems and in the registration and authorization of septic tank contractors and contracting companies.

RULEMAKING AUTHORITY: 381.011, 381.0065, 381.0066, 489.552, 489.553, 489.557 FS.

LAW IMPLEMENTED: 381.0065, 381.066, 381.0067, 386.041, 489.553, 489.557 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.:	RULE TITLE:
64E-6.003	Permits

PURPOSE AND EFFECT: Amend rules to provide a method to grant final approval for an onsite sewage treatment and disposal system that was permitted, installed and granted construction approval under the previous rule but had not yet received final system approval when the construction permit expired. The proposed change allows the department to approve the system as meeting the earlier standards rather than requiring the installed system to be brought into compliance with recently promulgated standards. The proposed changes have been reviewed by the members of the Technical Review and Advisory Panel.

SUBJECT AREA TO BE ADDRESSED: Permitting, inspection and approval of onsite sewage treatment and disposal systems.

RULEMAKING AUTHORITY: 381.0065, 489.553, 489.557 FS.

LAW IMPLEMENTED: 381.0065, 381.0067, 386.041 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, HSES, 4042 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Agency for Persons with Disabilities**

RULE NOS.:	RULE TITLES:
65G-4.0021	Tier Waivers
65G-4.0022	Tier One Waiver
65G-4.0023	Tier Two Waiver
65G-4.0024	Tier Three Waiver
65G-4.0025	Tier Four Waiver

PURPOSE AND EFFECT: To implement the Four-Tier System

SUBJECT AREA TO BE ADDRESSED: Home and Community Based Tier Waivers.

RULEMAKING AUTHORITY: 393.066(3) FS.  
 LAW IMPLEMENTED: 393.0661(3) FS.  
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:  
 DATE AND TIME: January 6, 2010, 10:00 a.m. – 12:00 Noon EST  
 PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32399, (850)488-6680  
 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: Celeste Sanders, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399 (850)922-0371. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Celeste Sanders, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)922-0371  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

## Section II Proposed Rules

### DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

#### Division of Motor Vehicles

RULE NOS.:	RULE TITLES:
15C-4.001	Recreational Vehicle Inspection
15C-4.002	Minimum Requirements for Approval to Conduct Private and Dealer Inspections
15C-4.004	Certification
15C-4.005	Duties and Responsibilities
15C-4.006	Monitoring
15C-4.007	Code Provisions
15C-4.008	General
15C-4.009	Forms

PURPOSE AND EFFECT: The purpose is to repeal Rules 15C-4.001 through 15C-4.009, F.A.C., Private Recreational Vehicle Inspections, because they are obsolete. Section 320.8256, F.S., rulemaking authority for this rule has been repealed; therefore the Department no longer has the authority to perform private recreational vehicle inspections. The effect will be to repeal Rule Chapter 15C-4, F.A.C.

SUMMARY: Rules 15C-4.001 through 15C-4.009, F.A.C., Private Recreational Vehicle Inspections, are being repealed because they are obsolete and the Department no longer has the authority to perform private recreational vehicle inspections.  
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.  
 Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.  
 RULEMAKING AUTHORITY: 320.8256 FS.  
 LAW IMPLEMENTED: 320.8256, 320.824(1), 320.824(2), 320.8231, 320.8232, 120.53(1)(b) FS.  
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):  
 DATE AND TIME: Tuesday, December 29, 2009, 9:00 a.m.  
 PLACE: Department of Highway Safety and Motor Vehicles, Auditorium, 2900 Apalachee Parkway, Tallahassee, Florida 32399  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Julie Gentry

THE FULL TEXT OF THE PROPOSED RULES IS:

15C-4.001 Recreational Vehicle Inspection.

Rulemaking Specific Authority 320.8256(1) FS. Law Implemented 320.8256 FS. History–New 11-5-80, Formerly 15C-4.01, Amended 1-13-92, Repealed.

15C-4.002 Minimum Requirements for Approval to Conduct Private and Dealer Inspections.

Rulemaking Specific Authority 320.8256(1) FS. Law Implemented 320.8256 FS. History–New 11-5-80, Formerly 15C-4.02, Amended 1-13-92, Repealed.

15C-4.004 Certification.

Rulemaking Specific Authority 320.8256(1) FS. Law Implemented 320.8256 FS. History–New 11-5-80, Formerly 15C-4.04, Amended 1-13-92, Repealed.

15C-4.005 Duties and Responsibilities.

Rulemaking Specific Authority 320.8256(1) FS. Law Implemented 320.8256 FS. History–New 11-5-80, Formerly 15C-4.05, Amended 1-13-92, Repealed.

15C-4.006 Monitoring.

Rulemaking Specific Authority 320.8256(1) FS. Law Implemented 320.8256, 320.824(2), 320.8231, 320.8232 FS. History–New 11-5-80, Amended 2-8-81, Formerly 15C-4.06, Amended 1-13-92, Repealed.