

THE FULL TEXT OF THE PROPOSED RULE IS:

49B-2.038 Personnel Rule Manual Incorporated by Reference.

~~The Tampa Bay Water "Personnel Rule Manual," dated November 30, 2006, is hereby incorporated by reference into this chapter and is available from Tampa Bay Water upon request.~~

Rulemaking Specific Authority 163.01(5) FS. Law Implemented 163.01(5)(g) FS. History--New 7-29-97, Amended 9-17-01, 5-22-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Holly Wells

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerald Seeber

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2010

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 III

Notices of Changes, Corrections and Withdrawals

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 CITRUS

RULE NO.: 20-39.003 RULE TITLE: Approved Boxes

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 47, November 24, 2010 issue of the Florida Administrative Weekly has been withdrawn.

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 FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.: 69L-7.501 RULE TITLE: Florida Workers' Compensation Reimbursement Manual for Hospitals

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 44, November 6, 2009 issue of the Florida Administrative Weekly has been withdrawn.

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."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on January 10, 2011, the South Florida Water Management District (SFWMD), received a petition for Variance (Application 110110-4) from Avatar Properties, Inc., 201 Alhambra Circle, 12th Floor, Coral Gables, FL 33134, for a project known as Poinciana Parkway, Section 1, located in Polk and Osceola Counties, FL. The petition seeks relief from provisions in Rule 40E-4.321, F.A.C., pertaining to duration of permits.

A copy of the Petition for Variance or Waiver may be obtained by contacting the Water Resource Regulation Department during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by e-mail: permits@sfwmd.gov or by accessing the District's website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page.

To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: District Clerk.

For additional information, contact: Mark Daron at (407)858-6100, ext. 3805 or e-mail: mdaron@sfwmd.gov.

NOTICE IS HEREBY GIVEN THAT on December 29, 2010, the South Florida Water Management District (District), received a petition for waiver from Palm Beach County Department of Environmental Resource Management for a Modification of Right of Way Occupancy General Permit No. 013, Application No. 10-1229-4M, for utilization of Works or Lands of the District known as the C-18 Canal, Palm Beach County for a proposed parking area within the south right of way of the C-18 Canal located immediately east of the S-46 structure and west of Central Boulevard; Section 3, Township 41 South, Range 42 East, Palm Beach County. The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, which prohibits vehicular use and parking on Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1414, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 11, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Arbor Shoreline Office Park, filed October 19, 2010, and advertised in Vol. 36, No. 44 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as

adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until January 31, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-640).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 11, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Arbor Shoreline Office Park, filed October 19, 2010, and advertised in Vol. 36, No. 44 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until January 31, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-641).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 11, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Arbor Shoreline Office Park, filed October 19, 2010, and advertised in Vol. 36, No. 44 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until January 31, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-643).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 18, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Adventist Health Headquarters, filed November 1, 2010, and advertised in Vol. 36, No. 45 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.1, 2.20.9 and 2.24.2 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires using a coated steel belt to allow the installation of an Otis Gen2™ elevator system because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-659).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 11, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Premier North, filed November 2, 2010, and advertised in Vol. 36, No. 45 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until August 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-663).

A copy of the Order 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 January 18, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That Final Order was in response to a Petition for Variance from Putnam Hotel, filed November 15, 2010, and

advertised in Vol. 36, No. 47 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.7.4, ASME A17.3, 1996 edition and from Rule 2.27.1, 8.11.2.2.2, 2.14.7 and 8.6.1.4, ASME A17.1a, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires restricted door openings, emergency signaling devices, safety tests, conforming to the lighting and fixtures requirements and maintenance records requirements and from the requirement of having a valid certificate of operation because the Petitioner has not met its burden as these tests are required to ensure the safety features are working properly. Additionally, the Division lacks the authority to grant variances from statutory requirements (VW 2010-687).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 18, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Counseling & Recovery Center, Inc., filed December 8, 2010, and advertised in Vol. 36, No. 51 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4, 3.3.2, 3.11.1(a)(2) and 3.10.6 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for restricted door openings, platform guards, two-way communications and phase reversal and failure protection until August 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-720).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 18, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Nottingham House, filed December 15, 2010, and advertised in Vol. 36, No. 52 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a

variance from Rule 3.11.3, 3.10.4(u), 3.3.2, 3.9.1 and 3.10.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, in-car stop switch, platform guards, normal terminal stopping devices and top-of-car operating devices until December 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-724).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 18, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from UCF Morgridge International Reading Center, filed December 20, 2010, and advertised in Vol. 37, No. 1 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 and 2.24.2.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires 9.5 mm steel rope and metallic sheave because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-730).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 18, 2011 the Division issued an order. The Final Order was in response to a Petition for Variance from Grand Villa Senior Living, filed December 20, 2010, and advertised in Vol. 37, No. 1 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 and 2.24.2.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires 9.5 mm steel rope and metallic sheave because the Petitioner has demonstrated that the purpose of the

statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-731).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 18, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Regency Condo Assoc., filed December 20, 2010, and advertised in Vol. 37, No. 1 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.3.2, 3.10.3 and 3.9.1 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with platform guards, top-of-car operating devices and normal terminal stopping devices until December 30, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-732).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 18, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Arie Dam, filed December 28, 2010, and advertised in Vol. 37, No. 2 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.3.2 and 3.10.4(t) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for platform guards and keyed stop switch until December 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-742).

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

NOTICE IS HEREBY GIVEN THAT the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On January 18, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Lee Road Bldg., filed December 29, 2010, and advertised in Vol. 37, No. 2 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until January 31, 2014 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-743). A copy of the Order 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 January 11, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Mediterranean Manors. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 8.6.5.8, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires in-ground hydraulic cylinders be provided with a safety bulkhead which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-012). A copy of the Petition 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 January 12, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from St. Lucie Bldg. Petitioner seeks a variance of the requirements of ASME A17.3, Section 4.7.8, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-013).

A copy of the Petition 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 January 18, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Allied Building. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.10.4 and 3.11.3 and of ASME A17.1, Section 303.3d, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators with a keyed stop switch, firefighters' emergency operations and a shut-off valve which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-015).

A copy of the Petition 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 January 18, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Source International. Petitioner seeks a variance of the requirements of ASME A17.1, Section 3.4.4 and 3.4.7, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a minimum 43 inches of hoistway clearance above the car at it highest position and a minimum 5.49 square feet clear of any equipment with 43 inches of clearance which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-016).

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

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a Petition for an Emergency Variance on December 21, 2010 for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2001 FDA Food Code and subsections 61C-4.010(6), (7), Florida Administrative Code, from Ocean Ave. Green Market 2 located in Boynton Beach, FL. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and that at least

one accessible bathroom is provided for use by customers. They are requesting to share mop sink and bathrooms for customers only located within another establishment under the same ownership.

The Petition was published in Vol. 37, No. 1 on January 7, 2011, and 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 mop sink and bathroom facilities located within Ocean Avenue Green Market (SEA6019753) are maintained in a clean and sanitary manner and all sinks are provided with running water under pressure and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the hours of operation or ownership the Ocean Avenue Green Market (SEA6019753) changes, an updated signed agreement for use of the mop sink and bathroom facilities is required immediately.

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

NOTICE IS HEREBY GIVEN THAT on January 18, 2011, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, received a petition for emergency variance or waiver from DigiDeal Corporation, Petitioner, DBPR Case No. 2011002903 (VW 2011-018). Petitioner is a slot machine manufacturer licensed pursuant to Chapter 551, Florida Statutes, whose address, for the purposes of its Petition, is c/o Rutledge, Ecenia & Purnell, P.A., 119 South Monroe Street, Suite 202, Tallahassee, Florida 32301. The Petition lists Rule 61D-14.042, Florida Administrative Code (F.A.C.), from which it seeks an emergency variance or waiver. Specifically, the Petitioner requests a variance from or waiver of the requirement of subsection 61D-14.042(1), F.A.C., that requires each slot machine in Florida have an “electro-mechanical meter [to] measure total credits into the slot machine [and an] electro-mechanical meter [to] measure total credits out of the slot machine.” Petitioner desires to market its Digital Table System – Virtual (DTS-V) slot machine in Florida which uses state-of-the art electronic metering rather than electro-mechanical metering. The requested variance/waiver would permit use of electronic metering in Petitioner’s DTS-V slot machine, which in all other respects complies with or exceeds the requirements of Rule 61D-14.042, F.A.C. Petitioner requests the emergency variance/waiver because of severe financial hardship that it would otherwise incur were the Rule’s literal requirement of electro-mechanical meters to

nevertheless be applied in its case. Any person whose substantial interests may be affected by a variance on the subject matter of the Petition may file a petition to intervene within 5 days of the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342).

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 January 10, 2011, the Department of Environmental Protection, received a petition for a variance from the City of Minneola. The petition requests a variance from the paragraph 62-503.430(9)(a), F.A.C., which requires that construction loans for projects sponsored by local governments be repaid within 20 years. The City of Minneola is requesting that their loan, No. 89601L, repayment be extended from 20 years to 30 years due to substantial hardship. The petition has been assigned File No.: OGC File #11-0050.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., M.S. #35, Tallahassee, Florida 32399, Attn: Justin Wolfe, (850)245-2214, email: justin.g.wolfe@dep.state.fl.us. Written comments must be received no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on January 12, 2011, the Board of Medicine, received a petition for waiver filed on behalf of Laurence Wynn, M.D., from Rule 64B8-8.019, F.A.C., with regard to the requirement for providing a certified copy of the record in any finding of medical malpractice resulting from a civil or administrative proceeding.

Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on January 5, 2011, the Board of Physical Therapy Practice, received a petition for Sandra Cuik, seeking a variance or waiver of Rule 64B17-3.003, F.A.C., with regard to the 16.58 general education credits that is required.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The Florida **Department of State, Division of Library and Information Services** announces the organizational meeting of the State Library Council Governmental Affairs Subcommittee via conference call. All persons are invited.

DATE AND TIME: Monday, February 7, 2011, 8:15 a.m. – 8:30 a.m. (EST)

PLACE: Archives Conference Room, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Library Council Governmental Affairs Subcommittee will convene to elect officers, outline a business structure, and consider a motion to adopt draft bylaws. Other business will include the discussion of matters and issues which have an impact or effect on the programs and/or activities of the Division of Library and Information Services. For additional information, contact: Judith Ring, Division Director at (850)245-6600.

Any person requiring special accommodations or assistance due to a disability or physical impairment should contact the agency at least five days prior to the meeting by calling (850)245-6600 or TDD (850)922-4085.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

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

DATE AND TIME: February 9, 2011, 10:00 a.m.

PLACE: Equestrian Pavilion, Florida State Fairgrounds, 4800 US Highway 301, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Florida Amusement Device and Attraction Advisory Committee.

A copy of the agenda may be obtained by contacting: Allan Harrison, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650, (850)488-9790.

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: Allan Harrison at (850)488-9790. 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 **Florida Tobacco Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 8, 2011, 5:00 p.m.

PLACE: Florida Farm Bureau Suwannee, 407 Dowling Avenue, S. E., Live Oak, Florida 32064, (386)362-1274

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general Council business and funding for 2011.

A copy of the agenda may be obtained by contacting: Marshall Wiseheart at (850)488-4366.

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 days before the workshop/meeting by contacting: Marshall Wiseheart at (850)488-4366. 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: Marshall Wiseheart at (850)488-4366.

The **Private Investigation, Recovery and Security Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 17, 2011, 9:00 a.m.

PLACE: Embassy Suites Hotel – Jacksonville, 9300 Baymeadows Road, Jacksonville, FL 32256, (904)731-3555

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Debbie Barber, Post Office Box 3927, Tallahassee, FL 32315-3927 or by calling Debbie Barber at (850)245-5500.

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: Debbie Barber at (850)245-5500. 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).