

53ER09-2, 53ER09-3, 53ER09-4, 53ER09-5, 53ER09-6, 53ER09-11, 53ER09-13, 53ER09-14, 53ER09-20, 53ER09-24, 53ER09-26, 53ER09-27, 53ER09-28, 53ER09-29, 53ER09-30, 53ER09-34, 53ER09-47, 53ER09-48, 53ER09-49, 53ER09-50, 53ER09-53, 53ER09-59, 53ER09-60, 53ER09-62, 53ER09-63, 53ER09-67, 53ER09-68, 53ER09-71, 53ER10-5, 53ER10-13, 53ER10-17, 53ER10-18, 53ER10-20, 53ER10-21, 53ER10-55, F.A.C.

Rulemaking Authority 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 3-4-11. Replaces 53ER03-68, 53ER06-45, 53ER07-3, 53ER07-4, 53ER07-43, 53ER07-44, 53ER07-69, 53ER08-3, 53ER08-6, 53ER08-7, 53ER08-44, 53ER08-45, 53ER08-48, 53ER08-53, 53ER08-55, 53ER08-56, 53ER08-58, 53ER08-64, 53ER08-72, 53ER08-73, 53ER08-74, 53ER08-75, 53ER08-76, 53ER08-77, 53ER08-82, 53ER08-83, 53ER08-85, 53ER09-2, 53ER09-3, 53ER09-4, 53ER09-5, 53ER09-6, 53ER09-11, 53ER09-13, 53ER09-14, 53ER09-20, 53ER09-24, 53ER09-26, 53ER09-27, 53ER09-28, 53ER09-29, 53ER09-30, 53ER09-34, 53ER09-47, 53ER09-48, 53ER09-49, 53ER09-50, 53ER09-53, 53ER09-59, 53ER09-60, 53ER09-62, 53ER09-63, 53ER09-67, 53ER09-68, 53ER09-71, 53ER10-5, 53ER10-13, 53ER10-17, 53ER10-18, 53ER10-20, 53ER10-21, 53ER10-55, F.A.C.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: March 4, 2011

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that on March 4, 2011, the Florida Public Service Commission, received a petition for waiver of subsection 25-6.049(5), Florida Administrative Code. Docket No. 110063-EU – Petition for variance from or waiver of individual metering requirements of subsection 25-6.049(5), F.A.C., by Destin Gulfgate Owners Association, Inc. This rule requires the individual electric metering by the utility for each separate occupancy unit of a condominium, among other types of occupancy units. Comments on the petition should be filed with the Commission's Office of Commission Clerk, within 14 days of publication of this notice.

For additional information, please contact: Rosanne Gervasi, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6224.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6770.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on March 3, 2011, the South Florida Water Management District (District), received a petition for waiver from Florida Power and Light Company, Application No. 11-0224-1 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District for a proposed aerial transmission line crossing, including placement of a concrete pole, within the west right of way of C-102 Canal immediately north of S.W. 248th Street Bridge lying in Section 23, Township 56 South, Range 39 East, Miami-Dade County. The petition seeks relief from paragraphs 40E-6.221(2)(a) and (j), F.A.C., which governs use of the District's Works and Lands for the placement of above-ground permanent and semi-permanent above-ground encroachments within the District's designated equipment staging areas located at all bridges and pile-supported crossings.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail at 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 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN that on March 4, 2011, the South Florida Water Management District (District), received a petition for waiver from Robert Kyle and Joy Luanne Ray, Application No. 11-0304-1 for issuance of a Right of Way Occupancy Permit for utilization of Works or Lands of the District known as L-28, Miami-Dade and Collier Counties, for utilization of approximately 22.5 miles of L-28 for temporary access to and from the applicant's property. The petition seeks relief from subsection 40E-6.221(9), F.A.C., which governs that an applicant must own or lease the land adjacent to or served by the portions of the Works and 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 at 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 the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that on March 8, 2011, the Agency for Workforce Innovation, received a petition for Variance of subsection 60BB-4.100(22), F.A.C., which provides the definition of "working family" in the context of determining the eligibility to receive services for the state's school readiness program. The Petition was filed by the Early Coalition of Florida's Gateway, 1104 S.W. Main Blvd., Lake City, FL 32025.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC 140, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on March 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Turlington. Petitioner seeks an emergency variance of the requirements of paragraph 61C-5.0051, Florida Administrative Code that requires upgrading the elevators with an in-car stop switch 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 2011-075).

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 March 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Sarasota Manatee Airport Authority. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 6.1.3.15, 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 permanent provision to prevent accumulation of water in the pit 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 2011-076).

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 March 3, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for Beach Club Condo. Petitioner seeks an emergency variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations 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 2011-077).

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 Construction Industry Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Jason Hickson. The Notice of Petition for Variance or Waiver was published in Vol. 36, No. 50, of the December 17, 2010, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on January 14, 2010. The Petition requested a Variance or Waiver of Rule 61G4-16.005, Florida Administrative Code, dealing with duration of exam validity, a passing grade shall be valid only for a period of four (4) years from the date the list of successful candidates is approved by the Board.

The Board's Order, filed on February 18, 2011, denies the Petition for Variance or Waiver of Rule 61G4-16.005, Florida Administrative Code. With the application having been approved, the Petition is moot.

A copy of the Board's Order may be obtained by contacting: G. W. Harrell, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection hereby gives notice on March 7, 2011, the Department issued an Order Granting Variance to Sandhill Recycle Center, Inc., from the provisions of subsection 62-701.730(11), F.A.C., which requires submittal of proof of financial assurance for closure of a construction and demolition debris facility. On December 10, 2010, Sandhill submitted a petition to allow it to delay funding its financial assurance mechanism for Cell C of its facility until such time as Cell C is constructed, and demonstrated that it would suffer a hardship if required to comply with the rule. The Order requires Sandhill to fully fund its financial assurance mechanism at least 60 days prior to receipt of waste in Cell C. Notice was published in the F.A.W. on December 30, 2010.

A copy of the Order or additional information may be obtained by contacting: Richard Tedder, Program Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.tedder@dep.state.fl.us, (850)245-8735.

NOTICE IS HEREBY GIVEN that on February 23, 2011, the Department of Environmental Protection, received a petition for Southeastern Guide Dogs, Inc., seeking a variance from Rule 62-550.310, F.A.C., to allow for an exceedance of the sodium maximum contaminant level. The petition has been assigned OGC File No. 11-0422.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jeff Greenwell, Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida 33637; telephone (813)632-7600.

Written comments must be received by Jeff Greenwell at the above address no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on March 2, 2011, the Board of Medicine, received a petition for waiver or variance filed on behalf of Jiade Jay Lu, M.D., from Rule 64B8-8.004, F.A.C., with regard to reapplying for licensure when a previous license has been revoked. 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: Sue Foster, Acting Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on March 8, 2011, the Board of Psychology, received a petition for waiver or variance filed by Daryl P. Di Dio, Ph.D., from Rule 64B19-13.003, F.A.C., with regard to a six-hour training seminar attended by the Petitioner and whether this particular seminar will fulfill the continuing education requirement. Comments on this petition should be filed with: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address, or telephone (850)245-4373.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Financial Services Commission
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Department of Education
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: April 5, 2011, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.