

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF MANAGEMENT SERVICES

Technology Program

RULE NO.: RULE TITLE:

60FF-2.002 Customer Responsibilities in Order Process
PURPOSE AND EFFECT: The purpose and effect of the proposed rule revision of 60FF-2.002 F.A.C. (Customers responsibilities in the Order Process) is to remove obsolete, duplicative and extraneous language not of value and to incorporate the rule 60FF-2.003 and 60FF-2.004 F.A.C. for more efficient ordering.

SUBJECT AREA TO BE ADDRESSED: The proposed rule revision removes unnecessary information and incorporates the related rule, 60FF-2.002 and 60FF-2.004 F.A.C.

RULEMAKING AUTHORITY: 282.702(9) FS.

LAW IMPLEMENTED: 282.702(2), (8), (12), 282.703, 282.704, 282.705, 282.706, 282.707 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: : Denise Adkins, Department of Management Services, (850)921-1647
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF MANAGEMENT SERVICES

Technology Program

RULE NO.: RULE TITLE:

60FF-4.001 Purpose; Definitions
PURPOSE AND EFFECT: The purpose and effect of the proposed rule revision of 60FF-4.001 F.A.C. (Purpose; Definitions) is to remove obsolete, duplicative and extraneous language not of value and to incorporate the rule 60FF-4.002 (Partner Classifications) for more efficient ordering.

SUBJECT AREA TO BE ADDRESSED: The proposed rule revision removes unnecessary information and incorporates the related rule, 60FF-4.002 F.A.C.

RULEMAKING AUTHORITY: 282.702(9) FS.

LAW IMPLEMENTED: 282.709 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Denise Adkins, Department of Management Services, (850)921-1647
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NOS.: RULE TITLES:

73C-24.003 Fee Schedule, Annual Invoicing, and Data Updating

73C-24.004 Updating of the Special District Database
PURPOSE AND EFFECT: Chapter 189, F.S. provides general provisions for the definition, creation, and operation of special districts under the Special District Accountability Act, while Sections 189.017 and .018, F.S., include a requirement that the department maintain an official listing and establish a fee schedule for special districts. Currently Rule 73C-24.003, F.A.C. implements these requirements by listing the information special districts are to submit for data updating and setting forth the fee schedule and invoicing process. Rule 73C-24.003, F.A.C. is being amended to incorporate the text of Rule 73B-24.004, F.A.C. which advises that the department will use data submitted by special districts to maintain an updated official list of special districts. Rule 73B-24.004, F.A.C. will be repealed.

SUBJECT AREA TO BE ADDRESSED: These rules implement the requirements to maintain an updated official list of special districts and create a special district fee schedule.

RULEMAKING AUTHORITY: 189.017, 189.018, FS.

LAW IMPLEMENTED: 189.018, 189.061, and 189.064, 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linville Atkins, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC #110, Tallahassee, Florida 32399, (850)245-7150

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

**Section II
Proposed Rules**

DEPARTMENT OF MANAGEMENT SERVICES

Technology Program

RULE NO.: RULE TITLE:

60FF-1.001 General

PURPOSE AND EFFECT: The purpose and effect of the proposed repeal of rule 60FF-1.001, F.A.C. (General), is to remove obsolete and unnecessary language.

SUMMARY: Repeal rule 60FF-1.001, F.A.C. (General).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The economic review conducted by the agency.

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: 282.702(9) FS.

LAW IMPLEMENTED: 287.702(2) 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: November 29, 2016, 2:00 p.m., ET

PLACE: 4030 Esplanade Way, Tallahassee, FL 32399, Room 109

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: Denise Adkins, Department of Management Services, 4030 Esplanade Way, Suite 115H, Tallahassee, Florida 32399-0950, Phone: (850)921-1647, Email: denise.adkins@dms.myflorida.com. 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 IS: Denise Adkins, Department of

Management Services, 4030 Esplanade Way, Suite 115H, Tallahassee, Florida 32399-0950, Phone: (850)921-1647, Email: denise.adkins@dms.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULES IS:

60FF-1.001 General.

Authority 282.102(9) FS. Law Implemented 282.102(2),(8),(12), 282.103, 282.104, 282.105, 282.106, 282.107 FS. History--New 6-25-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Denise Adkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 09, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 11/14/2016

DEPARTMENT OF HEALTH

RULE NOS.: **RULE TITLES:**

- 64-3.010 Definitions
- 64-3.015 Special Needs Shelter Guidelines
- 64-3.020 Eligibility Criteria for Special Needs Shelters
- 64-3.030 Guidelines for Special Needs Shelter Staffing Levels
- 64-3.040 Definition of Special Needs Shelter Supplies and Equipment
- 64-3.050 Special Needs Shelter Registration
- 64-3.060 Addressing the Needs of Families
- 64-3.070 Pre-event Planning Activities
- 64-3.080 Service Reimbursement

PURPOSE AND EFFECT: To remove and transfer the current rule chapter into an incorporated publication and create a new rule section to incorporate the publication by reference.

SUMMARY: This rulemaking repeals the current rule chapter sections and moves the content into a publication which is incorporated in a new rule section. The repealed areas are: definitions; eligibility criteria for special needs shelters; guidelines for special needs shelter staffing levels; definitions of special needs shelters supplies and equipment; special needs shelter registration; addressing the needs of families; re-event planning activities; service reimbursement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that the rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: In analyzing this rule for the possible need for a SERC the Agency has determined that there is no increase in regulatory costs and no impact on small business. Therefore, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S.

RULEMAKING AUTHORITY: 381.0303(3)(a)2., 381.0303(4), (7), 381.0303(6)(a)-(g) FS.

LAW IMPLEMENTED: 381.0303(3)(a)2., (b), 381.0303(6)(a)-(g) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christie Luce, 4052 Bald Cypress Way, Bin A-22, Tallahassee, FL 32399, (850)245-4440, x2686; Christie.Luce@flhealth.gov

FULL TEXT OF THE PROPOSED RULE:

64-3.010 Definitions.

Rulemaking Specific Authority 381.0303(4), (7)(6)(a) FS. Law Implemented 381.0303(6)(a) FS. History–New 11-21-07, Repealed _____.

64-3.015 Special Needs Shelter Guidelines.

The Department hereby adopts the publication “Guidelines for Special Needs Shelters” (December 1, 2016 edition), incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-#####>. Except for this rule section, this publication contains the Department rules in this chapter applicable to Special Needs Shelters.

Specific Authority 381.0303(4)(7) FS. Law Implemented 381.0303 FS. History–New _____.

64-3.020 Eligibility Criteria for Special Needs Shelters.

Rulemaking Specific Authority 381.0303(7)(6)(a) FS. Law Implemented 381.0303(6)(a) FS. History–New 11-21-07, Repealed _____.

64-3.030 Guidelines for Special Needs Shelter Staffing Levels.

Rulemaking Specific Authority 381.0303(7)(6)(e) FS. Law Implemented 381.0303(6)(e) FS. History–New 11-21-07, Repealed _____.

64-3.040 Definition of Special Needs Shelter Supplies and Equipment.

Rulemaking Specific Authority 381.0303(7)(6)(d) FS. Law Implemented 381.0303(6)(d) FS. History–New 11-21-07, Repealed _____.

64-3.050 Special Needs Shelter Registration.

Rulemaking Specific Authority 381.0303(7)(6)(e) FS. Law Implemented 381.0303(6)(e) FS. History–New 11-21-07, Repealed _____.

64-3.060 Addressing the Needs of Families.

Rulemaking Specific Authority 381.0303(7)(6)(f) FS. Law Implemented 381.0303(6)(f) FS. History–New 11-21-07, Repealed _____.

64-3.070 Pre-event Planning Activities.

Rulemaking Specific Authority 381.0303(7)(6)(g) FS. Law Implemented 381.0303(6)(g) FS. History–New 11-21-07, Repealed _____.

64-3.080 Service Reimbursement.

Rulemaking Specific Authority 381.0303(4), (3)(a)2., 381.0303(7)(6)(b) FS. Law Implemented 381.0303(3)(a)2., 381.0303(3)(b), 381.0303(6)(b) FS. History–New 11-21-07, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Christie Luce, Bureau Chief, Bureau of Preparedness and Public Health

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 25, 2016

DEPARTMENT OF HEALTH

School Psychology

RULE NOS.: **RULE TITLES:**

- 64B21-501.003 Biennial Renewal Fee.
- 64B21-501.005 Application Fees.
- 64B21-501.006 Reactivation Fee.
- 64B21-501.0065 Change of Status Fee.
- 64B21-501.007 Inactive Renewal Fee.
- 64B21-501.009 Initial Licensure Fee.
- 64B21-501.010 Continuing Education Provider Fee.
- 64B21-501.011 Delinquency Fee.
- 64B21-501.013 Duplicate License Fee.

PURPOSE AND EFFECT: Update rules relating to school psychologist licensing fees and fees for providers of continuing education programs for school psychologists.

SUMMARY: Update licensure fee schedule for school psychologists and eliminates unnecessary rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined this amendment will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 456.013, 456.025(10), 456.036, 490.007(1), 490.0085(2), (4), 490.015, (2), 490.007(1) FS.

LAW IMPLEMENTED: 456.013, 456.025(10), 456.036, (4), 490.005, 490.006, 490.007(1), 490.0085(4) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, 4052 Bald Cypress way, Bin #C-05, Tallahassee, FL 32399-3250 or Allen.Hall@FHHealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B21-501.003 School Psychologist Fees Biennial Renewal Fee.

(1) The fee for initial licensure is \$175.00. This fee is refundable if the applicant is not eligible for licensure.

(2) The fee for biennial renewal of an active status license is \$190.00 for school psychologists.

(3) The non-refundable application fee for licensure by examination is \$175.00.

(4) The non-refundable application fee for licensure by endorsement is \$175.00.

(5) The non-refundable application fee for retired status licensure is \$50.00.

(6) The fee for reactivation of an inactive license is \$150.00. Such fee is in addition to the biennial renewal fee and any other applicable fees.

(7) The fee for changing the status of a license at any time other than the beginning of a licensure cycle is \$50.00.

(8) The fee for renewal of an inactive status license is \$150.00.

(9) The fee for delinquent status as set forth in subsection 456.036(7), F.S., shall be \$250.00.

(10) The fee for a duplicate license is \$25.00.

(11) The application and renewal fee for Department approval of a provider of continuing education for school psychologists is \$250.00.

Rulemaking Authority 456.013, 456.025(10), 456.036, 490.007(1), 490.0085(2), (4), 490.015(2), ~~490.007(1)~~ FS. Law Implemented 456.013, 456.025(10), 456.036, 490.005, 490.006, 490.007(1), 490.0085(4) FS. History—New 4-13-82, Amended 4-20-83, 3-19-85, Formerly 21U-501.03, Amended 7-10-89, 1-10-91, Formerly 21U-501.003, 61E9-501.003, Amended 9-9-01, 4-6-11, _____.

64B21-501.005 Application Fees.

Rulemaking Authority 456.013, 490.015 FS. Law Implemented 456.036(4), 490.005, 490.006 FS. History—New 8-27-84, Amended 12-16-84, 2-21-85, Formerly 21U-501.05, Amended 1-28-92, 6-21-92, Formerly 21U-501.005, 61E9-501.005, Amended 9-9-01, 9-27-05, 4-6-11, Repealed.

64B21-501.006 Reactivation Fee.

Rulemaking Authority 490.015(2), 456.036 FS. Law Implemented 456.036 FS. History—New 3-13-85, Formerly 21U-501.06, Amended 7-10-89, 1-10-91, Formerly 21U-501.006, 61E9-501.006, Amended 9-9-01, Repealed.

64B21-501.0065 Change of Status Fee.

Rulemaking Authority 490.015(2) FS. Law Implemented 456.036 FS. History—New 9-9-01, Amended 4-6-11, Repealed.

64B21-501.007 Inactive Renewal Fee.

Rulemaking Authority 490.015(2), 456.036 FS. Law Implemented 456.036 FS. History—New 2-21-85, Formerly 21U-501.07, Amended 7-10-89, 1-10-91, Formerly 21U-501.007, 61E9-501.007, Amended 9-9-01, Repealed.

64B21-501.009 Initial Licensure Fee.

Rulemaking Authority 490.015, 456.013 FS. Law Implemented 456.013 FS. History—New 7-10-89, Amended 1-10-91, 6-21-92, Formerly 21U-501.009, 61E9-501.009, Amended 9-9-01, 4-6-11, Repealed.

64B21-501.010 Continuing Education Provider Fee.

Rulemaking Authority 490.0085(2), (4), 490.015 FS. Law Implemented 490.0085(4) FS. History—New 7-10-89, Formerly 21U-501.010, 61E9-501.010, Amended 9-9-01, 12-30-15, Repealed.

64B21-501.011 Delinquency Fee.

Rulemaking Authority 456.036 FS. Law Implemented 456.036 FS. History—New 9-9-01, Repealed.

64B21-501.013 Duplicate License Fee.

Rulemaking Authority 456.025(10) FS. Law Implemented 456.025(10) FS. History—New 9-9-01, Amended 6-1-06, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Allen Hall

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 7, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 8, 2016

DEPARTMENT OF HEALTH

Certified Master Social Workers

RULE NOS.:	RULE TITLES:
64B25-28.002	Application Fee.
64B25-28.004	Endorsement Fee.
64B25-28.006	Initial Certification Fee.
64B25-28.007	Biennial Certification Renewal Fee.
64B25-28.008	Reactivation Fee.
64B25-28.009	Biennial Inactive Status Renewal Fee.
64B25-28.011	Continuing Education provider Application Fee.

PURPOSE AND EFFECT: Update rules relating to certified master social worker licensing fees and fees for providers of continuing education programs for certified master social workers.

SUMMARY: Update licensure fee schedule for certified master social workers and eliminates unnecessary rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined this amendment will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 456.017, 491.007, 491.0085, 491.0145, 491.015 FS.

LAW IMPLEMENTED: 456.017, 491.006, 491.007, 491.008, 491.0085, (2), 491.0145 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jennifer Wenhold, Executive Director, 4052 Bald Cypress way, Bin #C-08, Tallahassee, FL 32399-3250 or Jennifer.Wenhold@FIHealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B25-28.002 Certified Master Social Worker Fees Application Fee.

(1) The non-refundable application fee for processing of applications for examination is \$50.

(2) The fee for initial certification is \$150.

(3) The non-refundable application fee for licensure by endorsement is \$150.

(4) The fee for biennial renewal of certification is \$150.

(5) The fee for reactivation of an inactive certification is \$150, in addition to other required fees.

(6) The fee for renewal of an inactive certification is \$150.

Rulemaking Authority 456.017, 491.007, 491.0085, 491.0145, 491.015, FS. Law Implemented 456.017, 491.006, 491.007, 491.008, 491.0085, 491.0145 FS. History—New 12-10-90, Formerly 21-28.002, 61-28.002, 59FF-28.002, Amended _____.

64B25-28.004 Endorsement Fee.

Rulemaking Authority 491.015 FS. Law Implemented 491.006, 491.0145 FS. History—New 12-10-90, Formerly 21-28.004, 61-28.004, 59FF-28.004, Repealed _____.

64B25-28.006 Initial Certification Fee.

Rulemaking Authority 456.017 FS. Law Implemented 456.017 FS. History—New 12-10-90, Formerly 21-28.006, 61-28.006, 59FF-28.006, Repealed _____.

64B25-28.007 Biennial Certification Renewal Fee.

Rulemaking Authority 491.007 FS. Law Implemented 491.007 FS. History—New 12-10-90, Formerly 21-28.007, 61-28.007, 59FF-28.007, Repealed _____.

64B25-28.008 Reactivation Fee.

Rulemaking Authority 491.015 FS. Law Implemented 491.008 FS. History—New 12-10-90, Formerly 21-28.008, 61-28.008, 59FF-28.008, Repealed _____.

64B25-28.009 Biennial Inactive Status Renewal Fee.
 Rulemaking Authority 491.015 FS. Law Implemented 491.008 FS.
 History—New 12-10-90, Formerly 21-28.009, 61-28.009, 59FF-
 28.009, Repealed.

64B25-28.011 Continuing Education Provider
 Application Fee.
 Rulemaking Authority 491.0085 FS. Law Implemented 491.0085(2)
 FS. History—New 12-10-90, Formerly 21-28.011, 61-28.011, 59FF-
 28.011, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jennifer Wenhold
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon
 General and Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: November 7, 2016
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: November 8, 2016

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-4.001	Registration
64E-4.002	Definitions
64E-4.003	Exemptions
64E-4.004	Laser Safety Officer (LSO)
64E-4.005	Out-of-State Laser Radiation Sources
64E-4.006	Maximum Permissible Exposure (MPE)
64E-4.007	General Requirements for the Safe Operation of All Facilities
64E-4.008	Caution Signs, Labels, and Posting
64E-4.009	Surveys
64E-4.010	Measurement and Instrumentation
64E-4.011	Notification and Reports of Incidents
64E-4.012	Records
64E-4.013	Laser Radiation
64E-4.014	Scanning Devices
64E-4.015	Report to Department About Laser Light Shows
64E-4.016	Measurements for Maximum Permissible Exposure

PURPOSE AND EFFECT: To update and adopt all but one chapter rule into one rule section.

SUMMARY: Repeal all rule text – except rule 64E-4.001, F.A.C. – and move repealed text into an incorporated publication adopted therein. The text relates to: definitions of terms; exemptions from registration requirements; laser safety officer requirements; out-of-state laser radiation sources; maximum permissible exposure; general requirements for the safe operation of facilities; caution signs, labels, and posting; surveys; measurement and instrumentation; notification and reports of incidents; records; laser radiation; scanning devices;

report to department about laser light shows; measurements for maximum permissible exposure. The rule updates the ANSI standard related to maximum permissible exposure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: In preparing a checklist for determining the need for a SERC, the department has determined there will be no increased costs or adverse impact associated with this rulemaking. Therefore this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s.120.541(2)(a), F.S.

Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 501.122(2) FS.

LAW IMPLEMENTED: 501.122(1), (2), (a), (b), (c), (d) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FLORIDA ADMINISTRATIVE REGISTER:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brenda Andrews, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741; (850)245-4266; Brenda.Andrews@FLHealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-4.001 Registration and Laser Radiation Requirements.

(1) Except as otherwise specifically exempted under these rules, all persons who receive, possess, acquire, transfer, own, manufacture, or use lasers which emit or may emit laser radiation shall register within 30 days after acquisition of a laser product and comply with these rules. Nothing in these rules shall be interpreted as limiting the intentional exposure of patients to laser radiation for the purpose of treatment or use commensurate with the licensed practitioner’s use of the healing arts.

(2) A separate registration is required for each location with a laser device, on DH Form 1605; (09/14), “Laser Device

Registration Form,” ~~which is herein~~ incorporated by reference and ~~which is available from the internet~~ at <https://www.flrules.org/Gateway/reference.asp?No=Ref-04839> or www.FloridaHealth.gov/radiation. Laser manufacturers must register on DH Form 1604, (09/14), “Manufacturer’s Laser Device Registration Form,” ~~which is herein~~ incorporated by reference and ~~which is available from the internet~~ at <https://www.flrules.org/Gateway/reference.asp?No=Ref-04838> or www.FloridaHealth.gov/radiation. Subsequent registrations for each facility or mobile laser facility are required whenever additional laser devices are installed or previously registered laser devices are disposed of, altered, destroyed or moved to new locations. Subsequent registrations for each manufacturer are required only when the description of the laser devices manufactured by the manufacturer changes.

(3)(a) Laser products certified by a manufacturer to be compliant with the Federal laser product performance standard of 21 C.F.R. Part 1040 in effect at the date of manufacture shall be maintained in compliance with such requirements. Certified laser products which have been modified shall comply with these rules.

(b) Uncertified lasers shall meet the requirements of these rules.

(4) If any conflict arises between the requirements of these rules and the federal laser product performance standard, the requirements of the federal standard shall apply.

(5) Except as provided in this rule section, the contents of this rule chapter are contained in the Department of Health publication “Laser Radiation Requirements” (December 15, 2016 edition) incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-####>.

(6) Title 21 C.F.R. sections 1040.10 and 1040.11 (April 1, 2013 edition) are incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-####>.

(7) The publication ANSI Z136.1-2014, “American National Standard for Safe Use of Lasers” (ANSI), is incorporated by reference and available at www.lia.org. This publication may be examined and inspected at the Florida Department of Health, Bureau of Radiation Control, 4042 Bald Cypress Way, Suite 210, Tallahassee, Florida 32399-1741, and the Florida Department of State, Room 701, The Capitol, Tallahassee, Florida 32399-0250. The agency has determined that posting the publication on the internet for purposes of public inspection and examination would constitute a violation of federal copyright law.

~~(8)(5)~~ Completed registration forms or other correspondence or reports required by Chapter 64E-4, F.A.C., to be sent in writing to the Department can be mailed to Florida Department of Health, Bureau of Radiation Control,

4052 Bald Cypress Way, Bin #C-21, Tallahassee, Florida 32399-1741; or faxed to (850)487-0435; or scanned and emailed to RadiationControl@FlHealth.gov in PDF, JPG, or TIF format.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.101, Amended 4-20-15, _____.

64E-4.002 Definitions.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(1) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.102, Amended 10-8-00, 4-20-15, Repealed.

64E-4.003 Exemptions.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(a), (c) FS. History—New 9-6-84, Amended 12-12-96, Formerly 10D-89.103, Amended 10-8-00, Repealed.

64E-4.004 Laser Safety Officer (LSO).

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(a), (d) FS. History—New 9-6-84, Amended 12-12-96, Formerly 10D-89.111, Repealed.

64E-4.005 Out-of-State Laser Radiation Sources.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.114, Repealed.

64E-4.006 Maximum Permissible Exposure (MPE).

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(a), (d) FS. History—New 9-6-84, Formerly 10D-89.116, Repealed.

64E-4.007 General Requirements for the Safe Operation of All Facilities.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(d) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.118, Repealed.

64E-4.008 Caution Signs, Labels, and Posting.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(d) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.121, Repealed.

64E-4.009 Surveys.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(c), (d) FS. History—New 9-6-84, Formerly 10D-89.122, Repealed.

64E-4.010 Measurement and Instrumentation.

Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(d) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.123, Repealed.

**Section III
Notice of Changes, Corrections and
Withdrawals**

64E-4.011 Notification and Reports of Incidents.
Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(d) FS. History—New 9-6-84, Amended 5-7-96, Formerly 10D-89.124, Amended 4-20-15, Repealed.

64E-4.012 Records.
Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(d) FS. History—New 9-6-84, Amended 5-7-96, Formerly 10D-89.127, Repealed.

64E-4.013 Laser Radiation.
Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(d) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.130, Repealed.

64E-4.014 Scanning Devices.
Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(a), (d) FS. History—New 9-6-84, Formerly 10D-89.131, Repealed.

64E-4.015 Report to Department About Laser Light Shows.
Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2)(a), (b), (c), (d) FS. History—New 9-6-84, Formerly 10D-89.133, Amended 4-20-15, Repealed.

64E-4.016 Measurements for Maximum Permissible Exposure.
Rulemaking Authority 501.122(2) FS. Law Implemented 501.122(2) FS. History—New 9-6-84, Amended 5-7-96, 12-12-96, Formerly 10D-89.134, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Cynthia Becker, Bureau Chief, Bureau of Radiation Control
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, M.D., MPH, Surgeon General and Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 7, 2016
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 25, 2016

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

RULE NO.: RULE TITLE:
5H-23.002 Application for Fair Permit
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 189, September 28, 2016 issue of the Florida Administrative Register.

5H-23.002 Application for Fair Permit

(1) No change.

(2) Each fair association desiring a fair permit shall apply to the department at least three months before the desired host date of the annual public fair by submitting a completed Application for Fair Permit, FDACS-06100, (Rev. 6/16) ~~(Rev. 05/13)~~. Fair associations must also submit the supplemental materials requested on the application. Item Two (2), Affidavit, FDACS-06101, (Rev. 08/13), shall only be submitted if the fair association is contracting with a central amusement company to operate during the annual public fair for which the permit is desired.

(3) through (5) No change.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-4.161 Public Notice of Pollution
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 189, September 28, 2016 issue of the Florida Administrative Register.

Substantial rewording of proposed Rule 62-4.161 follows. See the Notice of Proposed Rule for 62-4.161 published on September 28, 2016, in Vol. 42 No.189, of the Florida Administrative Register for the rule text as originally proposed.

62-4.161 Public Notice of Pollution

(1) Intent. This rule is intended to prevent harm to human health, welfare, or property by assisting the control of pollution. Reportable releases as defined herein are required to be reported to the Department, the general public, local government, and effected property owners. Making these parties aware of the releases in the timeframes provided by

this rule, will position them to take action to protect human health, welfare, or property.

(2) Definitions. "Reportable releases" could pose an immediate danger to public health, safety and welfare and, as used in this rule, mean the release of any substance to the outdoor air, land, or waters of the state at an installation (within the meaning of section 403.031(4), F.S.) that is not authorized by law and which is discovered by the owner or operator of the installation, or the owner or operator's employee, agent or contractor, after [effective date of the rule] and:

(a) is reportable to the State Watch Office (also known as the State Warning Point) under Department requirements such as those contained in rules, permits, orders, and variances;

(b) is reportable to the Department or its contracted county under subsections 62-761.450(3) and 62-762.451(3), F.A.C.;

(c) is reportable to the Department under paragraph 62-528.307(1)(x), F.A.C.;

(d) is a hazardous substance (within the meaning of section 376.301(21), F.S.) at or above the quantity established in Table 302.4 of 40 CFR 302.4, July 1, 2016, <http://www.flrules.org/Gateway/reference.asp?No=Ref-07610> and available at www.dep.state.fl.us/pollutionnotice, which is hereby incorporated by reference, for such substance; or

(e) is an extremely hazardous substance (within the meaning of 40 CFR 355.61 <http://www.flrules.org/Gateway/reference.asp?No=Ref-07611>) at or above the quantity established in Appendices A and B of 40 CFR 355, July 1, 2016, <http://www.flrules.org/Gateway/reference.asp?No=Ref-07612> and available at www.dep.state.fl.us/pollutionnotice, which are hereby incorporated by reference, for such substance.

(3) Notification. In the event of a reportable release, any persons (within the meaning of section 403.031(5), F.S.) who are owners or operators of the installation at which the reportable release occurred, must:

(a) Within 24 hours of a reportable release or discovery of a reportable release, notify the following persons in accordance with the notice criteria in subparagraph (4)(a)1.:

1. the Department;

2. the general public via notice to at least one broadcast television affiliate that serves the area where the installation is located and a newspaper of general circulation as described in section 50.011, F.S.; and

3. local government as follows:

a. if the installation is in an incorporated municipality:

i. the mayor, the chair of the city commission, or the comparable senior elected official representing the municipality in which the installation is located, and

ii. the city manager or comparable senior official of the municipality in which the installation is located; or

b. if the installation is not in an incorporated municipality:

i. the chair of the county commission or comparable senior elected official representing the county in which the installation is located, and

ii. the county administrator or comparable senior official of the county in which the installation is located.

(b) Within 48 hours of a reportable release or discovery of a reportable release, notify the persons listed in paragraph (3)(a) in accordance with the notice criteria in subparagraph (4)(a)2.

(c) Within 24 hours of becoming aware that a substance released during a reportable release is present at any level or quantity in the land, outdoor air, or waters of the state located outside of the property boundaries of the installation, notify the owners of the lands at which the substance is present and the Department and local government, as provided in subparagraph (3)(a)3., in accordance with the notice criteria in subsection (4).

(4) Notice Criteria.

(a) Content.

1. The notification required under paragraph (3)(a) must include the following to the extent known at the time of the notice:

a. name and address of the installation at which the reportable release occurred;

b. name and title of the reporting person and the nature of their relationship to the installation (e.g., owner or operator);

c. identification number for any active Department permits, variances, registrations, or orders that are relevant to the reportable release;

d. name and telephone number of the person to be contacted for further information;

e. substance released;

f. estimated quantity of the substance released and quantity that has since been recovered;

g. cause or source of the release;

h. location of the release;

i. date, time, and duration of the release;

j. medium into which the substance was released; and,

k. any other persons notified, under this rule, of the reportable release.

2. The notification required under paragraph (3)(b) must include the following to the extent known at the time of the notice:

a. whether the released substance is migrating or has migrated to land, outdoor air, or waters of the state outside the property boundaries of the installation;

b. locations where the released substance has migrated to; and

c. to the extent available, toxicological information and recommended precautions (e.g., evacuation, abstaining from swimming, and abstaining from drinking groundwater) associated with the release as specified on a material safety data sheet or comparable source published by the United States Department of Labor, Occupational Safety and Health Administration or Centers for Disease Control and Prevention.

3. The notification required under paragraph (3)(c) must include the information required under subparagraphs (4)(a)1. and (4)(a)2.

4. Other information that the reporting party wishes to include to assist in the protection of human health, welfare, or property is permissible and encouraged.

(b) Method.

1. Notices required to be submitted to the Department must be submitted electronically at www.dep.state.fl.us/pollutionnotice.

2. Notices required to be submitted to local governments, broadcast television affiliates, and newspapers of general circulation must be submitted via electronic or hand delivery.

3. Notices required to be submitted to property owners must be submitted via mail, electronic delivery, or hand delivery unless the substance is present in surface waters of the state or in the outdoor air, in which case the notice must be submitted to the general public in accordance with subparagraphs (3)(a)2. and (4)(b)2.

4. Notices submitted to a newspaper of general circulation may be, but are not required to be, published in the notice section of the newspaper.

5. If notices are sent via electronic delivery, a single email to multiple parties is acceptable. Each party is not required to be separately notified.

(5) Failure to provide the notification required by this rule shall be considered a violation of Department rule and subject to the imposition of penalties pursuant to section 403.161, F.S. Where multiple parties are subject to the notification requirements based on a single reportable release, there need not be multiple notifications. A single notification made by one party in accordance with this rule shall constitute compliance on behalf of all parties that are subject to the requirement. However, where notification is not made in accordance with this rule, the Department may pursue enforcement against all parties subject to the requirement.

Rulemaking Authority 377.22(2), 403.061(7), 403.061(8), 403.061(28), 403.062, 403.855(1), 403.861(9) FS. Law Implemented 377.21, 403.061(16), 403.061(17), 403.061(18), 403.061(28), 403.062, 403.855(3), 403.861(9) FS. History-New XX-XX-XXXX.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-761.210	Reference Standards
62-761.300	Applicability
62-761.500	Performance Standards for Category C Storage Tank Systems
62-761.600	Release Detection Standards
62-761.800	Out-of-Service and Closure Requirements
62-761.850	Alternative Requirements and Equipment Approvals

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 145, July 27, 2016 issue of the Florida Administrative Register.

62-761.210 Reference Guidelines

(1) No change.

(2) Titles of documents. References to the following documents listed in paragraphs 62-761.210(2)(a) through (n), F.A.C., are made throughout this Chapter. Each document or part thereof is adopted and incorporated by reference only to the extent that it is specifically referenced in this Chapter. To the extent that the provisions contained in the following reference guidelines conflict with this Chapter, the Department's requirements as stated in this Chapter shall control.

(a) through (l) No change.

(m) Underwriters' Laboratories Standards (UL). Copies of the following documents are available at the Department address listed in subsection 62-761.210(1), F.A.C., or from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847)272-8800, or from the publisher's website at www.ul.com/:

1. No change.

2. *Non-metallic Underground Piping for Flammable Liquids*, UL 971, ~~March 2006~~ ~~June 2008~~, 2nd Edition. Secondary references to this guideline can be found here: www.flrules.org/Gateway/reference.asp?No=Ref-00###, or the Department address listed in subsection 62-761.210(1), F.A.C.;

3. through 5. No change.

(n) United States Government Printing Office, Federal Digital System, Code of Federal Regulations, Electronic Code of Federal Regulations. Copies of the following documents are available at U.S. Government Printing Office, 732 North Capitol Street, NW, Washington, D.C. 20401-0001, (202) 512-1800, or from the publisher's website at <http://www.ecfr.gov/cgi-bin/ECFR?SID=dbbcbc9f2acd236910a67035e0e599bd&page=browse>:

1. No change.

2. Designation of Hazardous Substances Designation, Reportable Quantities, and Notification 40 CFR Section Part 302.4, August 1989 July 2002, published by Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, NW, Washington, D.C. 20401-0001, or www.flrules.org/Gateway/reference.asp?No=Ref-00###, or http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr302_main_02.tpl.

(3) No change.

62-761.300 Applicability.

(1) No change.

(2) Exemptions: The following are exempt from the requirements of this Chapter:

(a) through (h) No change.

(i) Any storage tank system that:

1. Contains a regulated substance at a concentration of less than two percent for pollutants and below the reportable quantities for hazardous substances under Designation of Hazardous Substances Designation, Reportable Quantities, and Notification 40 CFR Section Part 302.4, August 1989 July 2002, hereby adopted and incorporated by reference, and available from publisher at the Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, NW, Washington, D.C. 20401-0001, or www.flrules.org/Gateway/reference.asp?No=Ref-00###, or http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr302_main_02.tpl, or the Department address located in subsection 62-761.210(1), F.A.C.; and

2. No change.

(j) through (v) No change.

62-761.430 Incidents.

(1) through (7) No change.

(8) All incidents, as identified in subsection 62-761.430(1), F.A.C., regardless of whether an INF is required to be submitted, shall be documented and records kept until storage tank system closure in accordance with Rule 62-761.710, F.A.C. Test results or reports, which support the investigation findings, shall be maintained as records.

62-761.500 Storage Tank System Requirements.

(1) through (2) No change.

(3) Integral piping

(a) through (c) No change.

(d) Construction requirements.

1. Fiberglass reinforced plastic integral piping or other non-metallic double-walled integral piping installed in contact with the soil at a facility shall meet the requirements of *Non-metallic Underground Piping for Flammable Liquids*, UL 971,

March 2006 June 2008, 2nd Edition, or shall be certified by a Nationally Recognized Testing Laboratory that these requirements are met, and registered in accordance with subsection 62-761.850(2), F.A.C. UL 971, March 2006 June 2008, is hereby adopted and incorporated by reference, and is available from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847) 272-8800, or from the publisher's website at www.ul.com/, or the Department address listed in subsection 62-761.210(1), F.A.C.

2. through 5. No change.

(e) through (i) No change.

(4) through (7) No change.

62-761.600 Release Detection Requirements.

(1) No change.

(2) Storage Tanks.

(a) One or more of the following release detection methods shall be used:

1. through 6. No change.

7. Visual monitoring of normally dry interstices. This method shall be able to detect the presence of liquid at a low point of the interstice. Any presence of groundwater or surface water, other than condensate, or regulated substances in the interstice is considered a positive response. The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-761.430, F.A.C.

8. No change.

(3) through (5) No change.

62-761.800 Out-of-Service and Closure Requirements.

(1) No change.

(2) Closure of storage tank systems.

(a) The following storage tank systems must be closed in accordance with the provisions of this subsection:

1. A storage tank system that fails to meet or, if required, is not modified to meet the Storage Tank System Requirements of Rule 62-761.500, F.A.C., within 90 days of discovery.

2. No change.

3. A storage tank system where financial responsibility is not maintained and demonstrated pursuant to Rule 62-761.420, F.A.C., within 90 days of termination of the financial mechanism.

(b) No change.

(3) Closure Integrity Report, Closure Report, and Limited Closure Report Requirements.

(a) through (b) No change.

(c) Limited Closure Report. In cases where a Closure Integrity Evaluation passed or where a failed Closure Integrity Evaluation was investigated prior to closure and it was

demonstrated that a discharge did not occur, Form 62-761.900(8), Limited Closure Report Form for USTs, incorporated by reference in ~~subsection paragraph 62-761.420(2)~~ ~~62-761.405(2)(e)~~, F.A.C., shall be submitted in writing or electronic format to the County within 60 days of completion of the closure, replacement, or change in service from a regulated substance to a non-regulated substance.

62-761.850 Alternative Procedures, Equipment Registration and Registration of Operator Training Providers.

- (1) No change.
- (2) Registration of storage tank system equipment and release detection systems and methods.
 - (a) No change.
 - (b) Any storage tank system equipment installed after (*effective date of the rule*) must be registered with the Department in accordance with this subsection. Upon discovery, non-registered storage tank system equipment installed after (*effective date of the rule*) must be removed within 90 days, unless registration is applied for or obtained and listed within the 90 day time period.
 - (c) through (j) No change.
 - (3) No change.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-762.201	Definitions
62-762.211	Reference Standards
62-762.301	Applicability
62-762.431	Incidents
62-762.501	Performance Standards for Category-C Storage Tank Systems
62-762.601	Release Detection Standards
62-762.801	Out-of-Service and Closure Requirements
62-762.851	Alternative Requirements and Equipment Approvals

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 145, July 27, 2016 issue of the Florida Administrative Register.

62-762.201 Definitions.

All words and phrases defined in Sections 376.031 and 376.301, F.S., shall have the same meaning when used in this Chapter unless specifically stated otherwise in this Chapter. See Sections 376.031 and 376.301, F.S., for definitions of the following terms: “Bulk product facility,” “Compression vessel,” “Contaminant,” “Contaminated site,” “Department,” “Discharge,” “Facility,” “Flow-through process tank,” “Hazardous substances,” “Operator,” “Owner,” “Petroleum products,” “Pollutants,” “Transfer” or “transferred,” and “Vessel”. The following words and phrases used in this

Chapter shall, unless the context indicates otherwise, have the following meaning:

- (1) through (38) No change.
- (39) “Integral piping” means on-site piping, originating or terminating at the regulated storage tank or tanks, that conveys regulated substances. Vapor, or other recovery lines, pipeline facilities, and vent lines, are not considered integral piping. Integral piping includes all valves, elbows, joints, flanges, pumps, and flexible connectors associated with the pipe originating at the storage tank up to the:
 - (a) through (d) No change.
 - (e) First shoreside valve after the marine transfer area for on-site piping at bulk product facilities.

~~On site means on the same or geographically contiguous property as the facility regulated under this Chapter that is under the same ownership or control. The properties may be divided by a public or private right of way or an easement.~~
- (40) through (77) No change.

62-762.211 Reference Guidelines.

- (1) No change.
- (2)(a) through (e) No change.
- (f) Geosynthetic Institute. A copy of the following document is available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at Geosynthetic Institute, 475 Kedron Avenue, Folsom, Pennsylvania 19033-1208, (610) 522-8440, or at <http://www.geosynthetic-institute.org/>. *Test Methods, Test Properties and Testing Frequency for High Density Polyethylene (HDPE) Smooth and Textured Geomembranes*, GRI Test Method GM13, Rev. 13, November 2015 ~~Rev. 12, November 2014~~. Secondary references to this guideline can be found here: www.flrules.org/Gateway/reference.asp?No=Ref-00###.
- (2)(g) through (l) No change.
- (m) Underwriters’ Laboratories Standards (UL). Copies of the following documents are available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847) 272-8800, or at www.ul.com/:
 - 1. No change.
 - 2. *Nonmetallic Underground Piping for Flammable Liquids*, UL 971, March 2006 ~~June 2008~~, 2nd Edition. Secondary references to this guideline can be found here: www.flrules.org/Gateway/reference.asp?No=Ref-00###; and
 - 3. *Standard for Protected Aboveground Tanks for Flammable and Combustible Liquids*, UL 2085, December 1997, 2nd Edition ~~September 2003, 3rd Edition~~.
- (n) U.S. Government Printing Office, Federal Digital System, Code of Federal Regulations, Electronic Code of Federal Regulations. Copies of the following documents are

available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at U.S. Government Printing Office, 732 North Capitol Street, NW, Washington, DC 20401-0001, (202) 512-1800, or at www.gpo.gov/:

1. No change.

2. ~~Designation of Hazardous Substances Designation, Reportable Quantities, and Notification~~ 40 CFR ~~Section Part~~ 302.4, August 1989~~July 2002~~, published by Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, NW, Washington, D.C. 20401-0001, or www.flrules.org/Gateway/reference.asp?No=Ref-00###, or http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr302_main_02.tpl.

(3) No change.

62-762.301 Applicability.

(1) No change.

(a) No change.

(b) Owners and operators of compression vessels and hazardous substance storage tank systems with capacities of greater than 110 gallons and containing hazardous substances above reportable quantities under ~~Designation of Hazardous Substances Designation, Reportable Quantities, and Notification~~ 40 CFR ~~Section Part~~ 302.4, August 1989~~July 2002~~, published by Government Printing Office, Code of Federal Regulations, 732 North Capitol Street, NW, Washington, DC 20401-0001, hereby adopted and incorporated by reference, and available at the address given, or www.flrules.org/Gateway/reference.asp?No=Ref-00###, or http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title40/40cfr302_main_02.tpl, or at the Department address listed in subsection 62-762.211(1), F.A.C., are only required to comply with Rule 62-762.401, F.A.C. Owners and operators of storage tanks that contain hazardous substances consisting of ammonia and chlorine are required to comply with paragraph (1)(a) above.

(c) No change.

(2) Exemptions: The following systems are exempt from the requirements of this Chapter:

(a) through (h) No change.

(i) Any storage tank system that:

1. Contains regulated substances at a concentration of less than two percent for pollutants and below the reportable quantities for hazardous substances under 40 CFR ~~Section Part~~ 302.4, August 1989~~July 2002~~; and

2. No change.

(j) through (ee) No change.

62-762.401 Facility Registration.

(1) through (3) No change.

(4) Registration fees.

(a) through (f) No change.

(g) In no circumstance will the owner or operator of any facility pay an annual fee greater than \$5,000.00 for all regulated substance ~~pollutant~~ storage tanks located at the facility.

(h) through (i) No change.

(5) No change.

62-762.431 Incidents.

(1) through (7) No change.

(8) All incidents, as identified in subsection 62-762.431(1), F.A.C., regardless of whether an INF is required to be submitted, shall be documented and records kept until storage tank system closure in accordance with Rule 62-762.711, F.A.C. Test results or reports, which support the investigation findings, shall be maintained as records.

62-762.501 Storage Tank System Requirements for Shop Fabricated Storage Tanks.

(1) No change.

(a) No change.

(b) Secondary containment.

1. No change.

2. Synthetic liners, unless previously approved by the Department, shall be designed and tested in accordance with *Test Methods, Test Properties and Testing Frequency for High Density Polyethylene (HDPE) Smooth and Textured Geomembranes*, GRI Test Method GM13, Rev. 13, November 2015 ~~Rev. 12, November 2014~~, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at Geosynthetic Institute, 475 Kedron Avenue, Folsom, Pennsylvania 19033-1208, (610) 522-8440, or at <http://www.geosynthetic-institute.org/>, and be registered with the Department in accordance with subsection 62-762.851(2), F.A.C. Liners shall not be constructed or consist of naturally occurring in-situ soils.

3. through 11. No change.

(c) through (i) No change.

(2) Storage tank installation.

(a) No change.

(b) Storage tank construction requirements.

1. Storage tanks shall be constructed in accordance with one of the following requirements hereby adopted and incorporated by reference, and available from the Department address given in subsection 62-762.211(1):

a. through d. No change

e. *Standard for Protected Aboveground Tanks for Flammable and Combustible Liquids*, UL 2085, December 1997, 2nd Edition ~~September 2003, 3rd Edition~~. To obtain this

reference from the publisher, see paragraph 62-762.211(2)(m), F.A.C.;

f. through h. No change.

2. No change

(c) through (j) No change.

(3) Small diameter integral piping.

(a) through (b) No change.

(c) Construction.

1. Fiberglass reinforced plastic piping, semi-rigid non-metallic, or other non-rigid piping installed in contact with the soil shall be installed in accordance with Non-metallic Underground Piping for Flammable Liquids, UL 971, March 2006 June 2008, 2nd Edition, hereby adopted and incorporated by reference, and available at the Department address listed in subsection 62-762.211(1), F.A.C., or from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847) 272-8800, or at www.ul.com/, or certified by a Nationally Recognized Testing Laboratory that these requirements are met, and registered in accordance with subsection 62-762.851(2), F.A.C.

2. through 5. No change.

(d) No change.

(4) No change.

62-762.502 Storage Tank System Requirements for Field Erected Storage Tanks.

(1) No change.

(a) No change.

(b) Secondary containment.

1. No change.

2. Synthetic liners, unless previously approved by the Department, shall be designed and tested in accordance with GRI Test Method GM13, Rev. 13, November 2015 Rev. 12, November 2014, incorporated by reference in subparagraph 62-762.501(1)(b)2., F.A.C., and be registered with the Department in accordance with subsection 62-762.851(2), F.A.C. Liners shall not be constructed or consist of naturally occurring in-situ soils.

3. through 10. No change.

(c) through (i) No change.

(2) through (4) No change.

62-762.601 Release Detection Requirements for Shop Fabricated Storage Tank Systems.

(1) No change.

(a) No change

(b) Any storage tank system without a method, or combination of methods, of release detection in accordance with this section, shall immediately provide a method of release detection, or immediately empty the storage tank system and place the affected system out-of-service, ~~or close~~

~~the system within 90 days of (effective date of the rule)~~, in accordance with subsection 62-762.801(2), F.A.C.

(c) through (i) No change.

(2) Storage tanks with secondary containment.

(a) No change

1. through 6. No change.

7. Visual monitoring of normally dry interstices. This method shall be able to detect the presence of liquid at a low point of the interstice. Any presence of water, other than condensate, or regulated substances in the interstice is considered a positive response. The positive response shall be recorded as part of the release detection records and reported and investigated as an incident pursuant to Rule 62-762.431, F.A.C.

8. No change.

(3) through (8) No change.

62-762.602 Release Detection Requirements for Field Erected Storage Tank Systems.

(1) No change.

(2) Storage tanks with secondary containment.

(a) One or more of the following release detection methods shall be used:

1. through 6. No change.

7. Visual monitoring of normally dry interstices. This method shall be able to detect the presence of liquid at a low point of the interstice. Any presence of water, other than condensate, or regulated substances in the interstice is considered a positive response and shall be reported and investigated as an incident pursuant to Rule 62-762.431, F.A.C.

8. No change.

(3) through (8) No change.

62-762.801 Out-of-Service and Closure Requirements for Shop Fabricated Storage Tank Systems.

(1) No change.

(2) Closure of storage tank systems.

(a) The following storage tank systems must be closed within 90 days in accordance with the provisions of this subsection:

1. No change.

2. Upon discovery, ~~a~~ storage tank system that fails to meet or, if required, is not modified to meet the storage tank system requirements of Rule 62-762.501, F.A.C.

3. No change.

4. A storage tank system where financial responsibility is not maintained and demonstrated pursuant to Rule 62-762.421, F.A.C., within 90 days of termination of the financial mechanism.

(b) No change.

(3) No change.

62-762.802 Out-of-Service and Closure Requirements for Field Erected Storage Tank Systems.

(1) through (2) No change.

(3) Closure of storage tank systems.

(a) The following storage tank systems must be closed within 90 days in accordance with the provisions of this subsection:

1. No change.

2. Upon discovery, ~~a~~A storage tank system that fails to meet or, if required, is not modified to meet the Storage Tank System requirements of Rule 62-762.502, F.A.C.

3. No changes.

4. A storage tank system where financial responsibility is not maintained and demonstrated pursuant to Rule 62-762.421, F.A.C., within 90 days of termination of the financial mechanism.

(b) No change.

(4) No change.

62-762.851 Alternative Procedures and Equipment Registration.

(1) No change.

(2) Registration of storage tank system equipment and release detection systems and methods.

(a) No change.

(b) Any storage tank system equipment installed after (*effective date of the rule*) must be registered with the Department in accordance with this subsection. Upon discovery, non-registered storage tank system equipment installed after (*effective date of the rule*) must be removed within 90 days, unless registration is applied for or obtained and listed within the 90 day time period.

(c) through (i) No change.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION
Division of Hotels and Restaurants
RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On October 21, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), Florida Administrative Code, from East Sushi located in Jacksonville. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 42/207 on October 24, 2016. The Order for this Petition was signed and approved on November 10, 2016. 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 wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sink are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The dishwashing, food preparation and food storage areas within 95 Southern Fried (SEA2611791) must be maintained in a clean and sanitary manner. This area must also be available to East Sushi during all hours of operation. If the ownership of 95 Southern Fried (SEA2611791) or East Sushi (Jacksonville Sportservice Inc.) changes, a signed agreement between the establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On October 21, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), Florida Administrative Code, from West Sushi located in Jacksonville. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 42/207 on October 24, 2016. The Order for this Petition was signed and approved on November 10, 2016. 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 wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sink are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The dishwashing, food preparation and food storage areas within 95 Southern Fried (SEA2611790) must be maintained in a clean and sanitary manner. This area must also be available to West Sushi during all hours of operation. If the ownership of 95 Southern Fried (SEA2611790) or West Sushi (Jacksonville Sportservice Inc.) changes, a signed agreement between the establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting:

Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On October 21, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), Florida Administrative Code, from East Pasta located in Jacksonville. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premises.

The Petition for this variance was published in Vol. 42, No. 207 on October 24, 2016. The Order for this Petition was signed and approved on November 10, 2016. 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 wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sink are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The dishwashing, food preparation and food storage areas within 95 Southern Fried (SEA2611791) must be maintained in a clean and sanitary manner. This area must also be available to East Pasta during all hours of operation. If the ownership of 95 Southern Fried (SEA2611791) or East Pasta (Jacksonville Sportservice Inc.) changes, a signed agreement between the establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On October 21, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), Florida Administrative Code, from West Pasta located in Jacksonville. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 42/207 on October 24, 2016. The Order for this Petition was signed and approved on November 10, 2016. 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 wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sink are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The dishwashing, food preparation and food storage areas within 95 Southern Fried (SEA2611790) must be maintained in a clean and sanitary manner. This area must also be available to West Pasta during all hours of operation. If the ownership of 95 Southern Fried (SEA2611790) or West Pasta (Jacksonville Sportservice Inc.) changes, a signed agreement between the establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On October 21, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), Florida Administrative Code, from West Carving located in Jacksonville. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 42, No. 207 on October 24, 2016. The Order for this Petition was signed and approved on November 10, 2016. 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 wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sink are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The dishwashing, food preparation and food storage areas within Stack Burger (SEA2611796) must be maintained in a clean and sanitary manner. This area must also be

available to West Carving during all hours of operation. If the ownership of Stack Burger (SEA2611796) or West Carving (Jacksonville Sportservice Inc.) changes, a signed agreement between the establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants , 2601 Blair Stone Road , Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On October 21, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, and subsection 61C-4.010(1), Florida Administrative Code, from West Pretzel located in Jacksonville. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided, and that each establishment have areas for food storage. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and to share the dishwashing and food storage areas with another food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 42, No. 207 on October 24, 2016. The Order for this Petition was signed and approved on November 10, 2016. 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 wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that all the handwash sink are

provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The dishwashing, food preparation and food storage areas within Stack Burger (SEA2611796) must be maintained in a clean and sanitary manner. This area must also be available to West Pretzel during all hours of operation. If the ownership of Stack Burger (SEA2611796) or West Pretzel (Jacksonville Sportservice Inc.) changes, a signed agreement between the establishments for the use of the shared facilities must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On October 20, 2016, the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Jackie Catering #1 located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 42/207 on October 24, 2016. The Order for this Petition was signed and approved on November 10, 2016. 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 that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved

commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation

A copy of the Order or additional information may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on November 4, 2016, the Construction Industry Licensing Board, received a petition for variance or waiver, filed by Maurizio D'Alessandro. The Petitioner is seeking a variance or waiver of Rule 61G4-16.005, F.A.C., which states that 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. Comments on this petition should be filed with Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, at the above address or telephone: (850)487-1395 or by electronic mail: Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agent and Agency Services

RULE NO.: RULE TITLE:

69B-211.042 Effect of Law Enforcement Records on Applications for Licensure

The Department of Financial Services hereby gives notice: a letter was received from Brandon A. Williams withdrawing the petition for a variance or waiver he filed. The Notice of Petition was published in Vol. 42, No. 203 of the October 18, 2016, issue of the Florida Administrative Register. The petition requested a permanent waiver or variance from subparagraph 69B-211.042(10)(a)6., F.A.C., a non-existent subsection of the aforementioned cited rule, with regard to the restriction on the licensure of persons who have been found guilty of or have pled guilty or nolo contendere to a felony or a crime punishable by imprisonment of one (1) year or more. The petition for variance or waiver has been officially withdrawn, and the matter is now deemed both concluded and closed.

A copy of the Order or additional information may be obtained by contacting: Julie L. Jones, Agency Clerk, Department of Financial Services, 200 East Gaines Street, Suite 612, Tallahassee, Florida 32399-0333, (850)413-4241, Julie.Jones@myfloridacfo.com.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

State Board of Education

The State Advisory Committee for the Education of Exceptional Students (SAC) announces a public meeting to which all persons are invited.

DATES AND TIMES: SAC Executive Committee will meet Monday, December 5, 2016, 8:30 a.m. – 9:00 a.m. The SAC will meet Monday, December 5, 2016, 9:00 a.m. – 5:00 p.m. and Tuesday, December 6, 2016, 8:00 a.m. – 3:00 p.m. Opportunity for Public Comment will be provide Tuesday, December 6, 2016, 1:00 p.m. onsite or by phone: 1(888)670-3525, passcode: 8006155226

PLACE: Doubletree Hotel, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Dispute Resolution Procedures, A Bureau Update on Data Related to Graduation, Restraint and Seclusion and Assessment, Small Group Work in the areas of Parent Involvement and Engagement, K-12 Standards, K-12 Access and Transition.

A copy of the agenda may be obtained by contacting: State Advisory Committee, Bureau of Exceptional Education and Student Services, Florida Department of Education, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399-0400, (850)245-0475.

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 14 days before the workshop/meeting by contacting: Bureau of Exceptional Education and Student Services, at (850)245-0475. 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).

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation Central Office announces a public meeting to which all persons are invited.

DATE AND TIME: November 22, 2016, 4:30 p.m. – 6:30 p.m.

PLACE: Habitat for Humanity Office, 2404 Hubbard St., Jacksonville, Florida 32206

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public meeting is being held to give interested persons an opportunity to express their views concerning the closure of the CSX and NS railroad-highway at-grade crossings on Carmen St. in Jacksonville, Florida. There will be an open house from 4:30 p.m. – 6:00 p.m. for document review followed by a comment period from 6:00 p.m. – 6:30 pm. There is no presentation. Persons who wish to submit written statements may do so at the meeting or send them to the contact person listed below. Public participation is sought without regard to race, color, national origin, age, sex religion, disability or family status.

A copy of the agenda may be obtained by contacting: Laura Regalado, Rail Crossing Opening Closure Program, Florida Department of Transportation Central Office, 605 Suwannee Street, MS-25, Tallahassee, Florida 32399-0450, (850)414-4528 or Toll-Free at 1(866)374-3368, ext. 4528.

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: Laura Regalado, Rail Crossing Opening Closure Program, Florida Department of Transportation Central Office, 605 Suwannee Street, MS-25, Tallahassee, Florida 32399-0450, (850)414-4528 or Toll-Free at 1(866)374-3368, ext. 4528. 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).

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a Special Commission Conference in the following docket to which all interested persons are invited.

DOCKET NO. 160021-EI

DATE AND TIME: November 29, 2016, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and make a decision regarding the petition for rate increase by Florida Power & Light Company.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

The Florida Public Service Commission Conference's Notice, Agenda, related documents, and contact information may be obtained from www.floridapsc.com. Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

Changes to this notice will be published at the earliest practicable time on the Commission's website.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: November 29, 2016, 1:00 p.m.

PLACE: Gerald L. Gunter Building, 2540 Shumard Oak Boulevard, Room 105, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

Internal Affairs Agendas and Florida Public Service Commission's contact information may be obtained from www.floridapsc.com. Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

Changes to this notice will be published at the earliest practicable time on the Commission's website.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Gubernatorial Fellows Program announces a public meeting to which all persons are invited.

DATE AND TIME: November 23, 2016, 9:00 a.m.

PLACE: The Capitol Building

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates to the Fellows program.

A copy of the agenda may be obtained by contacting: Kim McClure, kim.mcclure@eog.myflorida.com, (850)717-9224.

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 24 hours before the workshop/meeting by contacting: kim.mcclure@eog.myflorida.com, (850)717-9224. 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: Kim McClure, kim.mcclure@eog.myflorida.com, (850)717-9224.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Structural Rules Committee concurrent with the Florida Building Commission, Structural Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: December 12, 2016, 1:00 p.m. or soon thereafter

PLACE: Tradewinds Grand Island Resort, 5500 Gulf Blvd., St. Petersburg, FL 33706

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss issues concerning alteration/inspection of the threshold buildings and implementation of Declaratory Statement DS 2014-061 and any other issues of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-42.002 Licensure by Examination

The Dietetics and Nutrition Practice Council announces a workshop to which all persons are invited.

DATE AND TIME: January 26, 2017, 9:30 a.m.

PLACE: Telephonic Conference: 1(888)670-3525, participant code: 7811783909#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider additional professions as supervisors/preceptors.

A copy of the agenda may be obtained by contacting: Allan Hall, Executive Director, Board of Medicine, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

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 five days before the workshop/meeting by contacting: Allan Hall at the above address. 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).

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Bureau of Chronic Disease Prevention announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 28, 2016, 11:00 a.m. – 1:00 p.m.

PLACE: Conference call only

GENERAL SUBJECT MATTER TO BE CONSIDERED: Diabetes Advisory Council Quarterly Business meeting. The meeting may be accessed via conference call: 1(888)670-3525; conference code: 416.360.4135#

A copy of the agenda may be obtained by contacting: Daphnie Francois, (850)245-4444, Extension 2991.

For more information, you may contact: Daphnie Francois, Florida Department of Health, (850)245-4444, ext. 2991.

DEPARTMENT OF HEALTH

Division of Public Health Statistics and Performance Management

The Florida Department of Health announces public meetings to which all persons are invited.

DATES AND TIMES: December 5, 2016, 12:00 Noon – 1:00 p.m., ET; December 9, 2016, 1:00 p.m. – 2:00 p.m. ET; December 13, 2016, 1:00 p.m. – 2:00 p.m., ET

PLACE: Telephone conference number: 1(888)670-3525, participant code: 548 807 2525 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Physician Workforce Advisory Council to evaluate and make recommendations for processes related to Florida's physician workforce.

A copy of the agenda may be obtained by contacting: Health Resources and Access Section at (850)245-4009.

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: Health Resources and Access Section at (850)245-4009. 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: Health Resources and Access Section at (850)245-4009.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, November 29, 2016, 8:00 a.m. and 9:00 a.m.

PLACE: 720 North Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: 8:00 a.m.: General Board Meeting to discuss general agency business; 9:00 a.m.: Governance Committee Meeting to discuss Board member recruitment.

A copy of the agenda may be obtained by contacting: Luana Kutz, (407)623-1070, lkutz@cilorlando.org.

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: Luana Kutz, (407)623-1070, lkutz@cilorlando.org. 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: Luana Kutz, (407)623-1070, lkutz@cilorlando.org.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Claims Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, November 30, 2016, 10:00 a.m.

PLACE: Conference call: 1(866)361-7525, participant code: 5219676193#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Claims Committee.

A copy of the agenda may be obtained at Citizens' website: www.citizensfla.com.

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: Barbara Walker, (850)513-3744, 2312 Killlearn Center Blvd., Building A, Tallahassee, FL 32309, barbara.walker@citizensfla.com. 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: Barbara Walker, (850)513-3744, 2312, Killlearn Center Blvd., Building A, Tallahassee, FL 32309, barbara.walker@citizensfla.com.

FLORIDA DEVELOPMENT FINANCE CORPORATION
The Board of Directors for the Florida Development Finance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: November 16, 2016, 2:00 p.m.
PLACE: South Conference Room, Offices of Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Bond Resolution No. 16-13 – Classical Preparatory, Inc.

A copy of the agenda may be obtained by contacting: Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658.

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 1 day before the workshop/meeting by contacting: Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658. 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: Jennifer Jenkins, FDFC Administrative Coordinator, (407)956-5658.

SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 17, 2016, 9:30 a.m.
PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., # 102

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regular agenda items for presentation to the Board of Supervisors, Ag Lab Report, Mil Report, and District Projects.

A copy of the agenda may be obtained by contacting: Viviana Perez, (305)242-1288.

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 1 day before the workshop/meeting by contacting: SDWCD, (305)242-1288. 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: Cooper McMillan, District Administrator, (305)242-1288.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES
Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has received the petition for declaratory statement from VendEngine, Inc., on November 14, 2016. The petition seeks the agency’s opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

The petition seeks a declaratory statement from the Office on whether Petitioner’s proposed business model (of providing a technology platform, of which money handling functionality [cash deposits, and credit card deposits for and on behalf of inmates]) falls within the Florida Money Transmitter Statute, Chapter 560, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9643, Agency.Clerk@flofr.com by December 9, 2016.

Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

University of Florida

UF-623 RFQ

**NOTICE TO PROFESSIONAL CONSULTANTS
(REQUEST FOR QUALIFICATIONS):**

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering, architecture, and planning will be required for the project listed below:

Project: UF-623, Central Energy Plant & Utilities Infrastructure (Gainesville, FL)

Baseline services will include master planning, conceptual design studies, construction cost estimates, analysis of phasing and procurement/delivery options, life cycle cost analyses, and preliminary Basis of Design (BOD) narratives for three primary scopes of work:

1. Electrical infrastructure, including connection with a new utility company-owned substation and subsequent reconnection and replacement of aging distribution assets.
2. Thermal infrastructure for production and distribution of underground chilled water and steam/condensate.
3. New central energy plant or expansion of existing facilities.

Upon completion of the initial phase of work – depending upon the results of those studies, internal and external approvals, funding, and other considerations – the University may elect to proceed with execution of one or more of the (3) above-listed scopes of work, including development of construction documents and construction administration.

This process differs from the standard UF qualifications-based selection process for design professionals, introducing a third (RFQ) step into what is normally a two-step process:

1. Initial applicants will be evaluated solely on the basis of their (applicant’s and consultants’) past performance and experience with similar projects. Only those applicants deemed by the University to be qualified will advance to the RFP stage.

2. Qualified applicants will be provided with a Request For Proposal (RFP). RFP respondents must provide with their project-specific proposal proof of licensure, insurance, and permission (FL Dept. of State charter) to operate in Florida.

3. RFP responses will be evaluated and ranked, with only the top 3-5 respondents moving on to the interview/presentation stage.

Scores from the RFQ phase may be combined with scores in subsequent phases (RFP, interview). Finalists may be provided with supplemental interview requirements and criteria, and the Selection Committee may reject all proposals and stop the selection process at any time.

The RFQ submittal shall be prepared as specified in the RFQ Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant’s understanding of the scope of services and the 3-step selection process.
2. A signed, project-specific certification (Form 1).
3. Completed Experience & References forms (Form 2) – one 2-page form for each of 10 similar or relevant projects.

Applications using forms other than those for the UF-623 project will not be considered.

As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected professional must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant – including project-specific forms & instructions, the UF Design and Commissioning Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Professional agreement, and other documents – can be found on the Planning Design & Construction website.

Submittals must be received in the Planning Design & Construction office by 3:00 PM local time, on Tuesday, December 13, 2016. Facsimile (FAX) submittals are not acceptable and will not be considered.

UF Planning Design & Construction
245 Gale Lemerand Drive / P.O. Box 115050

Gainesville, FL 32611-5050

Telephone: (352)273-4000

Internet: www.facilities.ufl.edu

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 INVITATION TO BID-RE-BID FORD F-450 FIRE ENGINE
 PROJECT CUSTOM BUILT AND INSTALLED
 NOTICE OF INVITATION TO BID: On behalf of the Florida
 Department of Environmental Protection the Procurement
 office is soliciting formal, competitive, sealed bids from
 contractors for bid number 2017025C, RE-BID FORD F-450
 FIRE ENGINE PROJECT CUSTOM BUILT AND
 INSTALLED.

The Department will post notice of any changes or additional
 meeting(s) on the Vendor Bid System (VBS) in accordance
 with Section 2.87.042(3), Florida Statutes, and will not re-
 advertise any notice in the Florida Administrative Register
 (FAR). Access the VBS at:
http://www.myflorida.com/apps/vbs/vbs_www.main.menu.

VISIT FLORIDA

VISIT FLORIDA posted an ITN for Latin America
 The Florida Tourism Industry Marketing Corp. dba VISIT
 FLORIDA is accepting proposals from qualified agency(ies)
 or service provider(s) to identify and select an advertising
 agency to provide representation and media buying for the
 Latin American markets: Brazil, Argentina, Chile, Colombia,
 Ecuador, Panama, and Costa Rica, referred to in this document
 at LATAM and Mexico. Please click here.

The due date for submissions is Friday, December 16, 2016.

Section XII
 Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 RULE NO.: RULE TITLE:

62-4.161 Public Notice of Pollution

NOTICE OF AVAILABILITY OF STATEMENT OF
 ESTIMATED REGULATORY COST

In accordance with Section 120.541 of the Florida Statutes, the
 Florida Department of Environmental Protection (Department)
 announces the availability of a Statement of Estimated
 Regulatory Costs (SERC), associated with the Department's
 proposed Rule 62-4.161, F.A.C., Public Notice of Pollution
 Notice, as proposed in the Florida Administrative Register in
 Vol. 42 No. 189, September 28, 2016 and Notice of Change in
 Vol 42 No. 222 November 15, 2016. A copy of the SERC may
 be obtained at www.dep.state.fl.us/pollutionnotice or by
 contacting Stephanie Gudeman, Florida Department of
 Environmental Protection, MS 4500, 3900 Commonwealth
 Blvd., Tallahassee, Florida 32399, (850)245-2048,
Stephanie.Gudeman@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Office of the Secretary

Florida State Clearinghouse

The state is coordinating reviews of federal activities and
 federally funded projects as required by Section 403.061(42),
 F.S. This includes Outer Continental Shelf activities and other
 actions subject to federal consistency review under the Florida
 Coastal Management Program. A list of projects, comments
 and deadlines, and the address for providing comments, are
 available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For
 information, call (850)717-9076. This public notice fulfills the
 requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On November 14, 2016, the State Surgeon General issued an
 Order of Emergency Suspension Order with regard to the
 license of Garrett Tyler Morris, R.N., License # RN 9354814.
 This Emergency Suspension Order was predicated upon the
 State Surgeon General's findings of an immediate and serious
 danger to the public health, safety and welfare pursuant to
 Sections 456.073(8) and 120.60(6) Florida Statutes (2016).
 The State Surgeon General determined that this summary
 procedure was fair under the circumstances, in that there was
 no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On November 14, 2016, the State Surgeon General issued an
 Order of Emergency Restriction Order with regard to the
 license of Kimberly Eloise Moore, R.N., License # RN
 9240383. This Emergency Restriction Order was predicated
 upon the State Surgeon General's findings of an immediate
 and serious danger to the public health, safety and welfare
 pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes
 (2016). The State Surgeon General determined that this
 summary procedure was fair under the circumstances, in that
 there was no other method available to adequately protect the
 public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-216

NOTICE IS HEREBY GIVEN that the Florida Department of
 Economic Opportunity issued Final Order No. DEO-16-216
 on November 7, 2016, in response to an application submitted
 by Island Park Woods Association, Inc., for covenant
 revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order denied the application for
 covenant revitalization after determining that the application

did not meet the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No. DEO-16-215

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-215 on November 7, 2016, in response to an application submitted by Loch Ness Homeowners Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order denied the application for covenant revitalization after determining that the application did not meet the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No. DEO-16-219

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-219 on November 10, 2016, in response to an application submitted by Killearn Lakes Homeowners Association, Inc., - Unit 2, for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No. DEO-16-211

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-211 on November 8, 2016, in response to an application submitted by Banyan Club Association, Inc., - Unit 2, for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order approved the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN
NOVEMBER 7, 2016 AND NOVEMBER 10, 2016

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF EDUCATION

State Board of Education

6A-3.0141	11/9/2016	11/29/2016	42/190	
6A-10.0315	11/9/2016	11/29/2016	42/191	
6A-20.028	11/9/2016	11/29/2016	42/190	42/201

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-8.624	11/10/2016	11/30/2016	42/161	
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AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

59A-36.001	11/8/2016	11/28/2016	42/50	42/111
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Medicaid

59G-4.318	11/9/2016	11/29/2016	42/36	42/167 42/188
59G-4.320	11/9/2016	11/29/2016	42/36	42/167 42/188
59G-4.322	11/9/2016	11/29/2016	42/36	42/167 42/188
59G-4.324	11/9/2016	11/29/2016	42/36	42/167 42/188

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

61G7-2.002	11/8/2016	11/28/2016	42/176	42/190
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DEPARTMENT OF HEALTH

Board of Opticianry

64B12-9.0015	11/9/2016	11/29/2016	42/160	
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Board of Osteopathic Medicine

64B15-19.002	11/7/2016	11/27/2016	42/188	
64B15-19.007	11/7/2016	11/27/2016	42/188	

Board of Podiatric Medicine

64B18-14.002 11/7/2016 11/27/2016 42/90 42/183

**LIST OF RULES AWAITING LEGISLATIVE
APPROVAL PURSUANT TO SECTION 120.541(3),
FLORIDA STATUTES**

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009 7/21/2016 **/**/**** 42/105

DEPARTMENT OF HEALTH

Board of Medicine

64B8-9.009 6/15/2016 **/**/**** 42/89

64B8-10.003 12/9/2015 **/**/**** 39/95 41/49

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
