

sufficient to allow him to continue to serve as the primary qualifying agent for Hardin. Finally, Petitioner asks whether, having final approval authority for all construction work and business matters by Hardin by virtue of the management agreement between Pin-Bar and Hardin, Mr. Pinto could continue to serve as the primary qualifying agent of Hardin if he were appointed an officer of Hardin.

Copies of the Petition may be obtained from: G. W. Harrell, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

The Board of Landscape Architecture hereby gives notice that on April 11, 2007, it received a Petition for Declaratory Statement filed by Gerardo Javier Delgado. The petition seeks the Board's interpretation of Rule 61G10-15.005, Florida Administrative Code, and whether petitioner can qualify two different Landscape Architectural businesses, if each one has the required Certificate of Authorization from the Board.

Copies of the Petition may be obtained from: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

NOTICE IS HEREBY GIVEN THAT the Board of Respiratory Care has received the petition for declaratory statement from H. Rick Herrell, RRT, filed on January 10, 2007. The petition seeks the agency's opinion as to the applicability of Section 468.352(9) and (10), Florida Statutes, as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 468.352(9) and (10), Florida Statutes, and in response to a citation issued to a hospital regarding its access to medication policy as it relates to Respiratory Therapists.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Susan Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal, issued a Declaratory Statement on April 19, 2007, in RE: Petition for Declaratory Statement, Florida Fire Marshals and Inspectors Association – Case No: 89193-07-FM. The statement concludes that the maximum quantity of liquid corrosive allowable per outdoor control area is 500 pounds or 50 gallons, with certain exceptions set forth in Chapter 60. Nothing in

Subsection 60.2.2, NFPA 1, 2003 edition, references Chapter 64, NFPA 1, 2003 edition; therefore, Chapter 60 is not modified by Chapter 64. The storage, use, and handling of corrosive liquids in amounts exceeding the maximum allowable quantities permitted in control areas set forth in Chapter 60, NFPA 1, 2003 edition, must comply with Chapter 64, NFPA 1, 2003 edition; otherwise, the storage, use, and handling of corrosive liquids in the control area is not permitted.

A copy of the Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340 or by e-mailing your request to [Lesley.Mendelson@fldfs.com](mailto:Lesley.Mendelson@fldfs.com)

**Section VIII  
Notices 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:**

Palm Beach County Department of Environmental Resources Management vs. Florida Fish and Wildlife Conservation Commission; Case No.: 07-1779RP; Rule No.: 68E-1.004

Kon Office Solutions, Inc. vs. Pinellas County School Board; Case No.: 07-1266RU

The Humane Society of the United States, Sharon and Richard Chambers, Miriam Barkley, Sheree Thomas, and Connie Crews vs. Department of Agriculture and Consumer Services; Case No.: 07-1503RU

Carole Cook Kelly vs. Department of Management Services; Case No.: 07-1609RU

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

JM Auto, Inc., d/b/a JM Lexus vs. Department of Highway Safety and Motor Vehicles and Winter Park Imports, Inc., d/b/a Lexus of Orlando, Florida Automobile Dealers Association, and South Florida Auto-Truck Dealers Association, Inc.; Case No.: 07-0603RX; Rule No.: 15C-7.005; Invalid

Florida Society of Anesthesiologists and The Florida Medical Association vs. Department of Health, Board of Nursing; Case No.: 07-0122RP; Rule Nos.: 64B9-17.001-.003; Voluntarily Dismissed