

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-1.659
 RULE TITLE: Forms and Instructions

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to amend Rules 40D-1.659 and 40D-2.091, F.A.C., and the District's Water Use Permit Basis of Review (BOR) to incorporate required forms and extend the timeframe for the submittal of specific mitigation reports.

SUMMARY: The proposed rule amendments will extend the timeframe for the submittal of mitigation reports and incorporate and require the submittal of flow meter pre-installation and reimbursement forms in the Dover/Plant City Water Use Caution Area.

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 proposed amendments will not result in an adverse economic impact on small businesses or increased costs to the regulated public. Therefore, the rulemaking does not require a SERC or legislative ratification.

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: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.083, 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 373.705, 373.707, 668.50 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. 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: Sonya White, Southwest Florida Water Management District, Office of General Counsel, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2012014)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

There is no change to the introductory paragraph.

(1) No change.

(2) No change.

(3) OTHER

(a) through (e) No change.

(f) FLOW METER PRE-INSTALLATION INFORMATION WORK SHEET, FORM NO. LEG-R.052.00 (9/12), incorporated by reference in paragraph 40D-2.091(2)(n), F.A.C.

(g) FLOW METER POST-INSTALLATION REIMBURSEMENT FORM, FORM NO. LEG-R.053.00 (9/12), incorporated by reference in paragraph 40D-2.091(2)(o), F.A.C.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.083, 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 373.705, 373.707, 668.50 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05(1), (2), 10-19-05(5), 10-19-05(20), 2-6-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08, 12-30-08, 3-26-09, 7-1-09, 8-30-09, 9-1-09, 10-26-09, 1-27-10, 4-12-10, 4-27-10, 9-5-10, 9-12-10, 12-7-10, 1-16-11, 6-16-11, 12-12-11, 12-29-11, 2-9-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Karen West, Managing Attorney

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 3, 2012

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-2.091
 RULE TITLE: Publications Incorporated by Reference

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to amend Rules 40D-1.659 and 40D-2.091, F.A.C., and the District’s Water Use Permit Basis of Review (BOR) to incorporate required forms and extend the timeframe for the submittal of specific mitigation reports.

SUMMARY: The proposed rule amendments will extend the timeframe for the submittal of mitigation reports and incorporate and require the submittal of flow meter pre-installation and reimbursement forms in the Dover/Plant City Water Use Caution Area.

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 proposed amendments will not result in an adverse economic impact on small businesses or increased costs to the regulated public. Therefore, the rulemaking does not require a SERC or legislative ratification.

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: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. 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: Sonya White, Southwest Florida Water Management District, Office of General Counsel, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2012014)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-2.091 Publications and Forms Incorporated by Reference.

- (1) No change.
- (a) Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications (also referred to as the WUP Basis of Review) (____)(9/12).
- (b) No change.
- (2) No change.
- (a) through (m) No change.
- (n) Flow Meter Pre-Installation Information Work Sheet, Form No. LEG-R.052.00 (9/12).
- (o) Flow Meter Post-Installation Information Reimbursement Form, Form No LEG-R.053.00 (9/12).

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09, 3-26-09, 7-1-09, 8-30-09, 10-26-09, 11-2-09, 1-27-10, 4-27-10, 5-26-10, 6-10-10, 6-30-10, 6-16-11, 12-12-11,_____.

Water Use Permit Basis of Review

7.4 DOVER/PLANT CITY WATER USE CAUTION AREA

4. WITHDRAWAL MONITORING AND REPORTING

4.1 No change.

4.2 Permit Conditions	62-160.220	Approval of New and Alternative Field Procedures
1. No change.		
(a)-(b) No change.	62-160.240	Record Keeping and Reporting Requirements for Field Procedures
(c) <u>Permittees shall submit the Flow Meter Pre-Installation Information Work Sheet, Form No. LEG-R.052.00 (9/12), incorporated by reference in paragraph 40D-2.091(2)(n), F.A.C., prior to the installation of a flow meter pursuant to the above permit condition. To receive reimbursement for the installation of a flow meter pursuant to the above permit condition, the permittee shall submit the Flow Meter Post-Installation Reimbursement Form, Form No. LEG-R.053.00 (9/12), incorporated by reference in paragraph 40D-2.091(2)(o), F.A.C.</u>	62-160.300	Laboratory Certification
	62-160.320	Approved Laboratory Methods
	62-160.330	Approval of New and Alternative Laboratory Methods
	62-160.340	Record Keeping and Reporting Requirements for Laboratory Procedures
	62-160.600	Research Field and Laboratory Procedures
(d)(e) No change.	62-160.650	Field and Laboratory Audits
(e) No change.	62-160.700	Tables
2. No change.	62-160.800	Documents Incorporated by Reference

6. INVESTIGATION OF FROST/FREEZE PROTECTION AND CROP ESTABLISHMENT WITHDRAWAL-RELATED WELL COMPLAINTS BY PERMITTEES WITHIN THE DOVER/PLANT CITY WUCA Frost/Freeze and Crop Establishment Withdrawal-related Well Complaints

- A. No change.
- B. Permittee’s Mitigation Activities and Report 1.through 3. No change.

4. Within three ~~one~~ business days after the complaint is fully mitigated, the permittee shall provide a report to the District in which the permittee details the activities undertaken by either the complainant or the permittee to mitigate the complaint as well as any reimbursements made by the permittee to the complainant. The permittee shall provide a copy of this report to the complainant. The District will review the report submitted by the permittee and shall require additional action by the permittee if the District determines that the complaint has not been fully mitigated.

- D. through E. No change.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen West, Managing Attorney
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 3, 2012

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-160.110	Purpose, Scope and Applicability
62-160.120	Definitions and Standards
62-160.210	Approved Field Procedures

PURPOSE AND EFFECT: The proposed rules update quality assurance requirements for entities providing environmental data to the Department of Environmental Protection (DEP), including field and laboratory Standard Operating Procedures (SOP). The proposed rules, which generally provide clarification and increased flexibility, update various documents incorporated by reference into the rule chapter, clarify when laboratory certification is not required, clarify requirements for approval of new, modified and alternative field and lab procedures, clarify documentation requirements for research activities, and address miscellaneous, minor revisions to various rules within the chapter in response to stakeholder input.

SUMMARY: The Department is amending Chapter 62-160, F.A.C., to update the Department’s field and laboratory SOPs and quality assurance objectives. Chapter 62-160, F.A.C., was last updated in 2008. The proposed rules revise the groundwater sampling SOP to allow a new technique that more accurately collects volatile contaminants, while reducing costs to the regulated community. A number of SOPs are revised to reflect recent scientific advances. The proposed rules also clarify when laboratory certification is not required or can be waived in order to meet the specific objectives of a DEP program or project. There are also proposed revisions that clarify the requirements for requesting use of alternative methodologies and allow more flexibility to use alternative methodologies to facilitate alignment of sampling/testing procedures with scientific advancements. In addition, there are a number of miscellaneous revisions to documents incorporated by reference based on stakeholder input. The proposed revisions provide greater flexibility to data providers and are expected to result in reductions in the process and costs for regulated parties, while assuring that DEP receives environmental data of suitable quality for making resource protection decisions.

OTHER RULES INCORPORATING THIS RULE: Chapter 62-160, F.A.C., is referenced by the following rules: Rules 62-302.540, 62-303.320, 62-303.330, 62-303.340, 62-303.420, 62-303.430, 62-303.460, 62-303.470, 62-330.100, 62-330.412, 62-330.441, 62-341.494, 62-344.400, 62-344.500, 62-4.020, 62-4.246, 62-520.600, 62-610.320, 62-610.463, 62-610.568, 62-610.865, 62-620.610, 62-620.620, 62-625.420, 62-625.600, 62-673.320, 62-673.340, 62-701.200, 62-701.330, 62-701.510, 62-702.400, 62-709.530, 62-713.510, 62-730.225, 62-737.200, 62-770.220, 62-770.900, 62-770.400, 62-770.600, 62-780.220, 62-780.300, 62-780.600, 62-780.700, 62-782.220, 62-782.300, 62-782.600, 62-782.700, 62-785.220, 62-785.300, 62-785.600, and 62-785.700, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed amendments are not expected to have significant effects on other rules. Certain provisions in the proposed rules provide greater flexibility for data providers that should allow for better efficiency and minor cost savings.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will 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 been prepared by the agency. The SERC estimates that the proposed revisions to Rule 62-160 will increase costs for entities conducting Habitat Assessments by \$30,388 every five years for training and demonstration of proficiency.

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: This determination is based upon information contained in the SERC. Total costs are estimated at \$30,388 every five years for training and demonstration of proficiency.

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: 403.061, 403.0623 FS.

LAW IMPLEMENTED: 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.803, 403.853 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 27, 2012, 1:30 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, FL

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: Michael Blizzard at (850)245-8073 or via email at Michael.Blizzard@dep.state.fl.us. 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: Michael Blizzard, Standards and Assessment Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400; telephone 850/245-8073, email Michael.Blizzard@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

PART I
GENERAL

62-160.110 Purpose Scope and Applicability.

(1) through (5) No change.

(6) If specifically required by the United States Environmental Protection Agency (EPA) for activities conducted for or funded by the EPA, Quality Assurance Project Plans (QAPPs) shall be prepared in accordance with "EPA Requirements for Quality Assurance Project Plans, EPA QA/R-5" (EPA/240/B-01/003 March 2001), which is incorporated by reference in Rule 62-160.800, F.A.C. These QAPPs will be reviewed and approved by the appropriate EPA office or delegated authority.

(7) This chapter supports the Quality Assurance Management Plan required by the EPA for any environmental programs funded in part or in whole by the EPA, as specified in EPA Quality Policy, EPA CIO 2106.0, 10/20/08, Order CIO 2105.9 (formerly 5360.1 A2), dated May 5, 2000, which is incorporated by reference in Rule 62-160.800, F.A.C.

(8) No change.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 1-1-91, Amended 2-4-93, 2-27-94, Formerly 17-160.110, Amended 3-24-96, 4-9-02, 6-8-04, 12-3-08, _____.

62-160.120 Definitions and Standards.

For purposes of this chapter:

(1) "Alternative method" is a field procedure or analytical laboratory method that involves the collection or testing of environmental samples for an analyte (such as a chemical compound, component, or microorganism, etc.) in a specified matrix where a Department-approved method already exists. Approved methods are recognized or specified by the Department according to rules 62-160.210 and 62-160.320.

F.A.C. An alternative method is one intended to be used in place of an existing Department-approved laboratory method or field procedure.

(2) No change.

(3) renumbered (4) No change.

(4) Renumber as (3) No change.

(5) through (9) No change.

(10) “Department of Health (DOH) Environmental Laboratory Certification Program (ELCP)” is the state of Florida’s environmental laboratory certification program, authorized by Section 381.00591, F.S., and recognized by the National Environmental Laboratory Accreditation Program (NELAP) Accreditation Council as an authority with responsibility and accountability for granting accreditation for specified fields of laboratory testing through Chapter 64E-1, F.A.C.

(11) through (15) No change.

(16) “Method detection limit (MDL)” is an estimate of the minimum amount of a substance that an analytical process can reliably detect. An MDL is analyte-and matrix-specific and is laboratory-dependent. The MDL for an analyte is determined from the preparation and analysis of a sample in a given matrix containing the analyte. MDLs shall be determined for each matrix/analytical technology/analyte combination reported by the laboratory, except for those tests where determination of the MDL is not appropriate for the analytical technique. MDLs shall be calculated following the procedures specified in “New and Alternative Analytical Laboratory Methods”, DEP-QA-001/01 (February 1, 2004), which is incorporated by reference in Rule 62-160.800, F.A.C., or by any other technically justifiable and scientifically sound method. A specific method must be used when mandated by a Department program.

(17) No change.

(18) “NELAC Field of Accreditation Matrix” is defined in the Glossary of the ~~2003~~ ~~2004~~ NELAC Standards, which is incorporated by reference in Rule 62-160.800, F.A.C., and shall be used to determine matrices under which a laboratory must be certified by the DOH ELCP for reporting data to be used by the Department:

(a) No change.

(b) Non-potable Water: any aqueous sample excluded from the definition of drinking water matrix including surface water, groundwater, effluents, water treatment chemicals, or samples derived from synthetic precipitation leaching procedures (SPLP), and toxicity characteristic leaching procedures (TCLP) or other extracts. To be considered as non-potable water, water treatment chemicals must be in an aqueous solution. If the laboratory receives the original environmental sample as a solid or chemical material for TCLP extraction, the laboratory must be certified for the TCLP extraction in the Solid and Chemical Material matrix. For the

analytical tests to be performed on the TCLP extract, the laboratory must be certified in the non-potable water matrix for at least one method for each analytical technology/analyte combination for each reported analyte.

(c) Solid and Chemical Materials: includes soils, sediments, sludges, products and by-products of an industrial process that results in a matrix not previously defined. For purposes of accreditation, biosolids are considered a solid, unless the sample matrix comprises liquid biosolids as defined in Rule 62-640, F.A.C. All other sample matrices not previously defined and comprising 15% settleable solids are liquids, and may require analysis using techniques for non-potable water or liquid chemical materials.

(d) No change.

~~(19) “National Environmental Laboratory Accreditation Conference (NELAC)” was a voluntary organization of state and federal environmental agencies, sponsored by the EPA, and formed to establish and promote mutually acceptable performance standards for the operation of environmental laboratories seeking NELAP accreditation.~~

~~(19)(20)~~ “National Environmental Laboratory Accreditation Program (NELAP)” is a program that implements standards that have been found to be acceptable to the NELAP Accreditation Council accrediting authorities.

(21) renumbered (20) No change.

~~(21)(22)~~ “New method” is a field procedure or analytical laboratory method that involves the collection or testing of samples for an analyte (such as a chemical compound, component, or microorganism, etc.) in a specified matrix where a Department-approved method does not exist. Approved methods are recognized or specified by the Department according to rules 62-160.210, F.A.C and 62-160.320, F.A.C.

(23) through (24) renumbered (22) through (23) No change.

~~(24)(25)~~ “Practical quantitation limit (PQL)” is the lowest level of measurement that can be reliably achieved during routine laboratory operating conditions within specified limits of precision and accuracy. The value of the PQL shall be greater than the MDL value except when analytical quality control problems necessitate raising the MDL value equal to or above the PQL value for a specific sample, or when determination of the MDL is not appropriate for an analytical technique. For Departmental use, if a laboratory fails to report a PQL, the PQL shall be calculated as four times the MDL, except for those tests where determination of the MDL is not appropriate for the analytical technique. In such cases, the Department shall use all available information about the technique to determine the PQL.

(26) through (30) renumbered (25) through (29) No change.

~~(30)~~~~(31)~~ “Secondary Use ~~Data Date~~” means information submitted to the Department that is being considered for use for purposes other than that for which the data were originally generated.

~~(31)~~~~(32)~~ “Site-specific sampling method” is a field method that is validated for the collection of environmental samples from a particular site, waste stream (e.g., facility location), or sample matrix (e.g., effluent, groundwater or drinking water). A site-specific sampling method is approved for use on a specific site by any field organization that is conducting field activities for that site. The approval of a site-specific sampling method does not apply to a sampling organization that wishes to use the method on other sites or intended for other projects. The alternative procedure ~~alternate~~ approval process is outlined in subparts Sections FA 2100 and FA 2200 of FA 1000 of DEP-SOP-001/01 (09-19-2012 March 31, 2008), which is incorporated by reference in Rule 62-160.800, F.A.C.

(33) renumbered (32) No change.

~~(33)~~~~(34)~~ “Statewide method” is a field procedure or analytical laboratory method that is validated for the collection or testing of environmental samples from similar sites or waste streams within the state of Florida by multiple field sampling organizations or laboratories, as applicable. The process for the validation of a statewide method is outlined in Sections FA 2100 and FA 2200 of FA 1000 (Regulatory Scope and Administrative Procedures for Use of FDEP SOPs) in DEP-SOP-001/01 (March 31, 2008), and “New and Alternative Analytical Laboratory Methods”, DEP-QA-001/01 (February 1, 2004), which are incorporated by reference in Rule 62-160.800, F.A.C.

~~(34)~~~~(35)~~ “Surrogate spikes” are samples fortified at known concentration(s) with one or more compounds ~~a compound(s)~~ having similar chemical characteristics to the compounds of interest, but which are not normally found in environmental samples.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 1-1-91, Amended 2-4-93, 2-27-94, Formerly 17-160.120, Amended 3-24-96, 4-9-02, 6-8-04, 12-3-08,_____.

PART II

FIELD PROCEDURES

62-160.210 Approved Field Procedures.

(1) All persons ~~entities~~ that conduct or support field activities and field measurements shall follow the applicable procedures and requirements described in DEP-SOP-001/01 (09-19-2012 March 31, 2008) and DEP-SOP-003/11 (09-19-2012), which are ~~is~~ incorporated by reference in Rule 62-160.800, F.A.C., unless specifically exempted by the rules of a particular Department program.

(2) Additionally, all persons performing sampling for the Stream Condition Index (SCI), the Lake Vegetation Index or a Rapid Bioassessment (BioRecon) determination shall follow the procedures and satisfy the data quality objectives discussed in the following documents, which are incorporated by reference in Rule 62-160.800, F.A.C.:

(a) Department of Environmental Protection, Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer (DEP-SAS-001/11); and,

(b) Department of Environmental Protection, Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer (DEP-SAS-002/11).

~~(3)~~~~(2)~~ Any person ~~party~~ that wishes to apply for new or alternative field procedures other than those specified in DEP-SOP-001/01 (09-19-2012 March 31, 2008) shall follow the requirements provided in Rule 62-160.220, F.A.C.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 1-1-91, Amended 2-4-93, 2-27-94, Formerly 17-160.210, Amended 3-24-96, 10-15-96, 4-9-02, 6-8-04, 12-3-08,_____.

62-160.220 Approval of New and Alternative Field Procedures.

(1) Any party may apply for use of a field procedure other than those specified in DEP-SOP-001/01 (March 31, 2008). Any field procedure not included in DEP-SOP-001/01 (March 31, 2008) must be approved by the Department prior to use according to the requirements of Sections FA 2100 and FA 2200 of FA 1000 of DEP-SOP-001/01 (March 31, 2008). Field procedures approved for use by a contract, order, or permit before the effective date of this chapter shall remain approved for the duration of the project. The documentation that approved the use of the procedure must be retained for at least five years after the last use of the procedure.

(2) Field procedures not included in DEP-SOP-001/01 (March 31, 2008) or not specified by Department contracts, orders or permits, fall into one of the following two categories:

(a) No change.

(b) Alternative – a field procedure that involves the collection of an analyte (such as a chemical compound, component, or microorganism, ~~etc-~~) in a specified matrix where a Department-approved procedure already exists. An alternative procedure is one intended to be used in place of an existing Department-approved field procedure. Alternative procedures cannot be approved for the following methods, ~~in DEP-SOP-001/01:~~

1. The procedures in the following DEP SOPs, which are contained in DEP-SOP-001/01, including all parts and subparts of the methods cited:

a. FS 7000, General Biological Community Sampling;

- b. FS 7100, Phytoplankton Sampling;
 - c. FS 7220, Qualitative Periphyton Sampling;
 - d. FS 7230, Rapid Periphyton Survey, and
 - e. FS 7250, Florida Wetland Condition Index Sampling (Diatoms);
 - f. FS 7320, Stream and River Linear Vegetation Survey;
 - g. FS 7330, Florida Wetland Condition Index Sampling (Vegetation);
 - h. FS 7430, Hester Dendy Sampling;
 - i. FS 7440, Core Sampling;
 - j. FS 7450, Dredge Sampling;
 - 1. FS 7410, Rapid Bioassessment (Biorecon) Method;
 - 2. FS 7420, Stream Condition Index (D-Frame Dipnet Sampling);
 - ~~k.3.~~ FS 7460, Lake Condition Index (Lake Composite Sampling);
 - 1. FS 7470, Florida Wetland Condition Index Sampling (Macroinvertebrates); and,
 - m.4. FT 3000, Aquatic Habitat Characterization;
 - 5. FS 7220, Qualitative Periphyton Sampling;
 - 6. FS 7230, Rapid Periphyton Survey, and
 - 7. FS 7310, Lake Vegetation Index Sampling (LVI).
2. The procedures in the following DEP SOPs, which are contained in DEP-SOP-003/11, including all parts and subparts of the methods cited:
- a. BRN 1000, BioRecon Determination;
 - b. LVI 1000, Lake Vegetation Index; and,
 - c. SCI 1000, Stream Condition Index.
3. The discussion of procedures for sampling, description of data quality objectives and criteria for data usability assessments for the Stream Condition Index (SCI), the Lake Vegetation Index or a Biorecon determination in:
- a. Department of Environmental Protection, Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer (DEP-SAS-001/11); and,
 - b. Department of Environmental Protection, Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer (DEP-SAS-002/11).
- (3) through (9) No change.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 1-1-91, Amended 2-4-93, Formerly 17-160.220, Amended 3-24-96, 10-15-96, 4-9-02, 6-8-04, 12-3-08, _____.

62-160.240 Record Keeping and Reporting Requirements for Field Procedures.

(1) The record keeping requirements for entities that conduct or support field activities and field measurements are specified in DEP-SOP-001/01 (09-19-2012), including all parts

and subparts of DEP SOP FD 1000, and DEP-SOP-003/11 (09-19-2012), including all DEP SOPs, parts and subparts therein applicable to bioassessment field activities ~~FD-1000 (March 31, 2008)~~. The specified records shall contain sufficient information to allow independent reconstruction of all activities related to generating data that are submitted to the Department. These records shall be kept by the generator of the records for a minimum of five years after the date of generation or completion of the records project completion or permit cycle unless otherwise specified in a Department contract, order, permit or Title 62 rules.

(a) Electronic records shall be acceptable as documentation and shall be considered as equivalent in status and function to paper records or documents, unless otherwise specified in a Department contract, order, permit or Title 62 rule.

1. All documentation requirements in this Chapter shall apply equally to paper and electronic records.

2. Electronic copies intended to replace original records shall contain the same information as the original records, regardless of whether the electronic copies are designated as master or duplicate records.

(b) In addition to the requirements in this rule, governmental agencies shall comply with all applicable requirements in the Florida Statutes and the Florida Administrative Code concerning the management, storage and destruction of public records described in this Chapter.

(2) When requested by the Department, the following field sampling information shall be provided to the Department for each site/facility and sampling location, as applicable:

(a) No change.

(b) Site and/or facility locational information to include (or as specified by a Department program for indicated projects):

1. through 5. No change.

(c) Information about the collected samples:

1. through 7. No change.

8. Any additional information from the field documentation records specified in DEP-SOP-001/01 (09-19-2012 ~~March 31, 2008~~) and DEP-SOP-003/11(09-19-2012).

(d) Information about field measurement activities:

1. through 3. No change.

4. Any additional information from the field documentation records specified in DEP-SOP-001/01 (09-19-2012 ~~March 31, 2008~~).

(e) Information about site conditions:

1. through 2. No change.

3. Any additional information from the field documentation records specified in DEP-SOP-001/01 (09-19-2012 ~~March 31, 2008~~).

(f) Any additional information specified by the Department in contracts, orders, permits, ~~or~~ Title 62 rules or Department-approved planning documents such as quality assurance plans, sampling and analysis plans, and monitoring plans.

(g) All documentation for new or alternative field procedures as required in Rule 62-160.220, F.A.C.

(3) No change.

(4) When data are provided to the Department in a report that is a summary, a re-published format, or in a reduced form (e.g., report, table, report form), the report shall not change the original data, or delete any data qualifiers reported by the originating field organization unless specified by Department contract, order, permit, or Title 62 rule. Copies (electronic or paper) of the original field report(s) shall be submitted with all such reports unless directed to do otherwise by the Department.

(5) When data qualifiers are added through a validation or review process that is independent of the field reporting process, the reason for the addition, the date of the addition, and the person adding the qualifier(s) shall be included. These qualifiers shall be included in any documents that are summaries or re-published formats, as described in subsection (4) above.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 4-9-02, Amended 6-8-04, 12-3-08, _____.

PART III

LABORATORY CERTIFICATION AND PROCEDURES

62-160.300 Laboratory Certification.

(1) Except as provided in subsections 62-160.300(2), (3), (4) and (5), F.A.C., or other Title 62 rules, all laboratories generating environmental data for submission to the Department or for use in Department-regulated or Department-sponsored activities shall hold certification from the DOH ELCP.

(a) No change.

(b) For laboratories reporting data for drinking water compliance, certification shall be for all matrix/test ~~test~~ method/analyte(s) combinations being reported.

(c) For the non-potable water matrix, laboratories shall apply for and receive certification in at least one method for each matrix/analytical technology/analyte combination being measured. For informational purposes, the Department shall maintain a list of the acceptable equivalent matrix/analytical technology/analyte combinations and the methods associated with them.

1. When a Department contract, order, permit or Title 62 rule requires a specific method to be reported, laboratories shall report only that method. Laboratories may report additional analytes not published in the reported method, if the applicable requirements in rule 62-160.330, F.A.C. are met, if method(s) for the analyte(s) have not been specified by the Department and the laboratory is certified according to has met the certification requirement of paragraph 62-160.300(1)(c), F.A.C.

2. Except as noted in sub-paragraph 62-160.300(1)(c)1., F.A.C., above, laboratories may report results by any method that is equivalent in technology to the method for which they hold certification, provided they are certified for the analyte that is reported. When laboratories report a method for which they do not hold certification, the laboratory shall document that all ensure that all the requisite quality control and calibration requirements of the reported method are met.

3. If a laboratory is required to provide data for an analyte for which, according to subsection 62-160.320(1), F.A.C., no method is published for exists in the non-potable water matrix, or the published method for the non-potable water matrix does not meet required data quality objectives established by the Department for a program or project, but a method is published exists for the drinking water matrix, and the Department has recognized that the published drinking water method meets the data quality objectives for the Department program or project for which the method will be used according to subsection 62-160.320(1), F.A.C., the laboratory is not required to obtain certification for the analytical technology/analyte combination in the non-potable water matrix the laboratory is not required to obtain certification for the method technology/analyte combination in the non-potable water matrix. However, the laboratory must be certified in the drinking water matrix for the reported test method/analyte combination.

(d) No change.

(2) To the extent possible, a laboratory must be certified as specified in subsection 62-160.300(1), F.A.C., before reporting results for a given matrix/analytical technology or test method/analyte combination. However, if a laboratory makes a written request to the Department to use a method that is not certified, a Department program will allow a laboratory to begin using a method before the certification process is complete if the laboratory wishes to add an analyte to a matrix/analytical technology or test method combination that is already certified; or if the laboratory is certified for a specific matrix/analytical technology or test method/analyte combination and wishes to add the capability of analyzing samples using the same analytical technology or test method/analyte combination in a different matrix.

(a) through (b) No change.

(c) The laboratory shall notify the Department program of the status of its certification application within 5 business days of receiving notification within 90 days of the on-site visit by DOH ELCP of the certification status inspectors.

(3) Laboratory certification by the DOH ELCP is not required for the following test procedures when conducted for the purposes of drinking water compliance:

(a) through (k) No change.

(l) Total organic carbon; ~~or~~

(m) Turbidity; ~~or~~

(n) Any analytes in addition to those listed in paragraphs 62-160.300(3)(a) through 62-160.300(3)(m), F.A.C., above that are exempted from laboratory certification according to subsections 62-550.550(1) and 62-550.550(2), F.A.C., for the specific compliance applications described therein.

(o) The analytes exempted in paragraphs 62-160.300(3)(a) through 62-160.300(3)(n), F.A.C., above shall be analyzed according to all applicable requirements for analyses according to subsections 62-550.550(1) and 62-550.550(2), F.A.C., for the specific compliance applications described therein.

(p) In cases where the Department has a specific field testing method standard operating procedure (e.g., FT 1100 for pH, in DEP-SOP-001/01), the laboratory or authorized person, as described in Rule 62-550.550, F.A.C., shall follow the Department's procedures. For all other analytes, a laboratory or authorized person, as described in Rule 62-550.550, F.A.C., shall only use test methods that are acceptable for drinking water compliance, as specified in Rule 62-550.550, F.A.C. and shall follow all requirements for calibration verification according to DEP SOP FT 1000 in DEP-SOP-001/01.

(4) Except for drinking water compliance testing (see subsection 62-160.300(3), F.A.C.), laboratories are not required to be certified by the DOH ELCP when conducting the following test procedures:

(a) through (b) No change.

(c) Specific conductance ~~conductivity~~;

(d) through (n) No change.

(5) Certification is not required for:

(a) through (b) No change.

(c) Those matrix/method/analyte combinations (such as taxonomic identification) that are not included in the DOH ELCP scope of accreditation; however, if the scope of accreditation is uncertain for a specified matrix/method/analyte combination, the Department shall refer the matter of scope of accreditation to the DOH ELCP for a determination:

(d) No change.

(e) Methods approved ~~developed~~ for site-specific, limited-use purpose if such certification is specifically waived by the Department program for which the method will be used.

(f) Methods and procedures required to perform the Specific Oxygen Uptake Rate (SOUR) test, when performed by authorized persons according to Chapter 62-640, F.A.C.

(6) If the requirement for certification is only temporarily waived by the Department according to paragraph 62-160.300(5)(e), F.A.C., for expediency in order to meet specific Department program or project objectives, the laboratory shall apply for certification for the relevant tests and matrices specified in the waiver, if the Department has determined that use of the tests for long-term compliance with Department rules is necessary. In this case, the Department shall establish a deadline for applying for the certification.

~~(7)(6)~~ Even if certification is not required (see subsections 62-160.300(3), (4) and (5), F.A.C.), laboratory organizations shall follow the relevant Department-approved methods as provided in Rule 62-160.320, F.A.C., as applicable. In addition, the laboratory shall operate a quality assurance program consistent with the quality systems requirements standards of the TNI Standard EL-V1M2-2011, and as NELAC specified in Chapter 64E-1, F.A.C.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, ~~403.803~~, 403.853; ~~403.803~~ FS. History—New 1-1-91, Amended 2-4-93, 2-27-94, Formerly 17-160.300, Amended 3-24-96, 4-9-02, 6-8-04, 12-3-08, _____.

62-160.320 Approved Laboratory Methods.

(1) Approved laboratory methods are specified in the Department's program rules, contracts, orders or permits. When methods are specified by a Department program, rule, contract, order or permit, only those methods shall be used. For informational purposes, the Department maintains lists a list of methods, and method compendiums and publication sources that have been recognized by various Departmental programs. When laboratory methods are not specified in Department rules, contracts, orders or permits, applicable methods from the list of recognized methods are approved, where the methods are determined by a Department program to satisfy data quality objectives established for the Department program or project. However, these lists this list shall not supersede or limit the use of other methods that are required by contract, order, permit or Title 62 rule. Upon request, the lists this list will be provided by the Department, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. A link for the lists of methods is posted on the Department's webpage at <http://www.dep.state.fl.us/water/sas/qa/am-sources.htm>. The Environmental Protection Agency published updated lists of analytical methods in Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act: Analysis and Sampling Procedures, Final Rule, Federal Register, Vol. 77, No. 97, Friday, May 18, 2012, Rules and Regulations, pp. 29758–29846, which is incorporated by reference in rule 62-160.800, F.A.C.

~~(a) On March 12, 2007, and March 26, 2007, the Environmental Protection Agency published updated lists of methods to be used by laboratories reporting data under the Clean Water Act and Safe Drinking Water Act (Federal Register, Vol. 72, No. 47 and Vol. 72, No. 57, respectively), which are incorporated by reference in Rule 62-160.800, F.A.C. These lists withdrew many older methods.~~

~~(b) Laboratories that are certified under the withdrawn method(s) shall apply for and receive certification for a method to take the place of the withdrawn method(s). Laboratories shall be certified for the replacement method(s) within six (6) months after the effective date of this rule.~~

~~(2) Except as specified in subsections (3) and (4) below, laboratories performing taxonomic identification for periphyton or benthic macroinvertebrates macrobenthic invertebrates shall use the procedures in the following DEP SOPs, which are contained in DEP-SOP-002/01 and incorporated by reference in Rule 62-160.800, F.A.C.:~~

~~(a) For taxonomic identification of periphyton, LQ 1000 shall be used, including part LQ 7000, and subparts LQ 7100 through LQ 7140;~~

~~(b) For taxonomic identification of benthic macroinvertebrates, LQ 1000 shall be used, including part LQ 7000, and subparts LQ 7400 through LQ 7420.~~

~~DEP-SOP-002/01, Method LQ 7000 (found in LQ 1000), which is incorporated by reference in Rule 62-160.800, F.A.C.~~

~~(3) Laboratories performing taxonomic identifications or calculations for calculating the Stream Condition Index (SCI), the Lake Condition Index, the Lake Vegetation Index or making a Biorecon determination shall use the procedures in the following DEP SOPs, which are contained in DEP-SOP-003/11 and incorporated by reference in Rule 62-160.800, F.A.C.:~~

~~(a) For the Stream Condition Index, SCI 1000 shall be used (including part SCI 2000 and subparts SCI 2100 through SCI 2230);~~

~~(b) For the Lake Vegetation Index, LVI 1000 shall be used (including part LVI 2000 and subparts LVI 2100 through LVI 2210);~~

~~(c) For the BioRecon determination, BRN 1000 shall be used (including part BRN 2000 and subparts BRN 2100 through BRN 2110).~~

~~follow DEP-SOP-002/01, Methods LD 7000 and LT 7000 found in LD 1000 and LT 1000 respectively, which are incorporated by reference in Rule 62-160.800, F.A.C.~~

~~(4) Additionally, laboratories or persons performing taxonomic identifications, calculations or data usability assessments for the Stream Condition Index (SCI), the Lake Vegetation Index or a BioRecon determination shall follow the procedures and satisfy the data quality objectives discussed in the following documents, which are incorporated by reference in Rule 62-160.800, F.A.C.:~~

(a) Department of Environmental Protection, Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer (DEP-SAS-001/11);

(b) Department of Environmental Protection, Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer (DEP-SAS-002/11).

(5) Laboratories calculating the Lake Condition Index (LCI) shall use the procedures in DEP SOP LT 7000 (including subparts LT 7010, LT 7020, LT 7030, LT 7040, LT 7300 and LT 7900), which are contained in DEP-SOP-002/01 and incorporated by reference in Rule 62-160.800, F.A.C.

(6) Laboratories calculating the Wetland Condition Indices (WCI) shall use the procedures in DEP SOP subpart LT 7600, including all subparts as listed below, which are contained in DEP-SOP-002/01 and incorporated by reference in Rule 62-160.800, F.A.C.:

(a) For the determination of Wetland Condition Index for freshwater isolated herbaceous wetlands, DEP SOP subpart LT 7610 shall be used (including subparts LT 7611 and LT 7612).

(b) For the determination of Wetland Condition Index for freshwater isolated forested wetlands, DEP SOP subpart LT 7620 shall be used (including subparts LT 7621 and LT 7622).

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 4-9-02, Amended 12-3-08, _____.

62-160.330 Approval of New and Alternative Laboratory Methods.

(1) Any ~~person party~~ may apply for use of a laboratory method other than those described in subsection 62-160.320(1), F.A.C. specified in the Department's contracts, orders, permits, or Title 62 rules. Laboratory methods that have been approved for use in a contract, order, permit or Title 62 rule, or approved by a Department program to meet established data quality objectives according to subsection 62-160.320(1), F.A.C., before the effective date of this chapter shall remain approved. The documentation that approved the use of the ~~method procedure~~ must be retained for at least five years after the last use of the ~~method procedure~~.

(2) All new and alternative laboratory methods that support a Department contract, order, permit or Title 62 rule must be approved by the Department prior to use. These methods fall into one of two categories:

(a) New – an analytical laboratory method that tests for an analyte (such as a chemical compound, component, or microorganism, etc.) in a specified matrix, and where a Department-approved method has not been specified, recognized or approved by the Department according to subsection 62-160.320(1), F.A.C. does not exist;

(b) Alternative – an analytical laboratory method that tests for an analyte (such as a chemical compound, component, or microorganism, etc.) in a specified matrix, and is intended to be used in place of a method that has been specified, recognized or approved by the Department according to subsection 62-160.320(1), F.A.C. where a Department approved method does exist. An alternative method is one intended to be used in place of an existing Department approved method. Alternative methods procedures cannot be approved for the following:

1. Any method Alternatives to methods that the United States Environmental Protection Agency has designated for analysis of a as “method-defined analyte”; and

2. The following methods from DEP-SOP-002/01, including all subparts of the methods cited LT-1000:

- a. LT 7100, Biorecon Determination;
- b. LT 7200, Stream Condition Index (SCI) Determination;
- c. renumbered a. No change.
- b. LT 7600, Wetland Condition Indices Determinations.
- d. LT 7500 Lake Vegetation Index (LVI) Determination.

3. The following methods from DEP-SOP-003/11, including all parts and subparts of the methods cited:

- a. BRN 1000, Biorecon Determination;
- b. SCI 1000, Stream Condition Index (SCI) Determination;
- c. LVI 1000, Lake Vegetation Index (LVI) Determination.

(3) A method modification is any modification to a published ~~an approved~~ analytical laboratory method that changes the scope and applicability, specifications, procedures, performance criteria or requirements contained in the method, as applicable to the analytes and matrices for which the method was originally published. A published method is any method specified, recognized or approved by the Department according to subsection 62-160.320(1), F.A.C., or otherwise available to the public in the scientific literature. A modified method must satisfy the data quality objectives established by the Department program for which the modified method will be used. Additionally, validation of the modified method shall demonstrate that the modified method produces equivalent or superior analytical performance, as compared to the unmodified method, where applicable to the analyte and matrix for which the modified method will be used is specifically allowed by the approved method.

(a) Upon review of any request to use a modified method, the Department shall determine whether the proposed modified method is a new method or alternative method, according to subparagraphs 62-160.330(2)(a) or 62-160.330(2)(b), F.A.C. All proposals to use modified methods as new methods or alternative methods shall include the submittal of method validation documentation to the Department. Modified methods that are not determined to be new or alternative methods do not require submittal of method validation

documentation, as indicated in paragraph (b) below. Methods listed in subparagraphs 62-160.330(2)(b)1. – 62-160.330(2)(b)3., F.A.C., may not be modified.

(b) Except as indicated in paragraph (c) below, ~~m~~Method modifications specifically allowed by the published method ~~are not considered alternative methods and do not require submittal of method validation documentation to approval by the Department prior to use. However, the laboratory shall retain all data that demonstrate that the modification meets the Department’s data quality objectives established for the Department program or project for which the method will used, and Department approval is limited to the specific method scope and modifications validated by the laboratory. In addition, the laboratory shall document initial and ongoing performance of the method modification, where such demonstration is required by the original, unmodified published method, and, as otherwise required in sections 1.5 and 1.6 of the TNI Standard EL-V1M4-2011, when laboratory certification is required according to rule 62-160.300, F.A.C. All method validation records shall be retained for at least five years after the last use of the modification. produces equivalent results to the unmodified method. These records shall be retained for at least five years after the last use of the modification.~~

1. Except as indicated in subparagraph 62-160.330(2)(b)1., F.A.C., allowable modifications described by the Environmental Protection Agency (EPA) at 40 CFR, Part 136.6 are applicable to the methods listed at 40 CFR, Part 136.3. The Department shall consider all interpretations of 40 CFR Part 136.6 as published by the EPA on its webpages or in applicable EPA memoranda when responding to requests from any person for assistance in clarifying whether a modification to a method listed at 40 CFR, Part 136.3 is allowed. Where such a determination is uncertain or controversial, the Department shall refer the request to the EPA Region 4 Regional Administrator for determination. However, this determination shall not supersede any requirements in Department rules, contracts, orders or permits to use specific methods.

2. Except as indicated in subparagraph 62-160.330(2)(b)1., F.A.C., the Department has determined that methods published by the Environmental Protection Agency (EPA) in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846), may be modified, where appropriate to achieve data quality objectives for a Department program or project, when such modifications are made according to the information and requirements concerning method modifications contained in the SW-846 collection of methods. However, this determination shall not supersede any requirements in Department rules, contracts, orders or permits to use specific methods.

(c) If the modified method will be used as an alternative method as described in subsection 62-160.320(2), F.A.C., the method validation shall demonstrate that the modified method produces equivalent or superior analytical performance in meeting the data quality objectives established for the Department program or project, as compared to the method for which it is proposed as an alternative. Validation documentation shall be submitted to the Department according to subsection 62-160.330(4), F.A.C.

(4) New and alternative methods shall be demonstrated as appropriate for use according to the requirements in New and Alternative Analytical Laboratory Methods, DEP-QA-001/01 (February 1, 2004) unless otherwise specified in a Department contract, order, permit or Title 62 rule. Where applicable, any additional demonstrations of initial and ongoing performance shall also be evaluated and documented for the new or alternative method, where such demonstration is required by an original, published method, including a published method that has been modified, and, as otherwise required in sections 1.5 and 1.6 of the TNI Standard EL-V1M4-2011, when laboratory certification is required according to rule 62-160.300, F.A.C. Except as indicated in paragraph 62-160.330(2)(b), F.A.C., method validation documentation shall be submitted to the Department for review and approval. The submitted method validation documentation for a new or alternative laboratory method shall be evaluated by the Department based on its intended use:

(a) No change.

(b) Statewide-Use Method – the laboratory method is intended for testing environmental samples from similar matrices, sites or waste streams within the state of Florida by multiple laboratories. For a statewide method, the Department requires an interlaboratory collaborative study following the specifications in Appendix D of the Official Methods of Analysis of the Association of Official Analytical Chemists (1995), incorporated by reference in Rule 62-160.800, F.A.C. Alternatively, an interlaboratory collaborative study that is designed based on procedures published by a nationally recognized consensus-based standards organization (e.g., American Society for Testing and Materials) may be used. Specifications for these studies are provided in DEP-QA-001/01 (February 1, 2004).

(5) through (6) No change.

(7) Applicants who are analyzing discharges regulated under the National Pollutant Discharge Elimination System (NPDES) permit system shall comply with applicable provisions of the United States Environmental Protection Agency (EPA) regulations in 40 CFR Part 136 paragraphs 136.4, 136.5 and 136.6 (2012 2008). Applicants shall submit the application to the Department, which shall forward the application to the United States Environmental Protection Agency Administrator of Region 4 for review and approval. The determination for approval or rejection shall be made by

the United States Environmental Protection Agency. If requested by the applicant, the Department shall assist the applicant in determining whether an application is required for modifications to methods listed at 40 CFR, Part 136.3, according to subparagraph 62-160.330(2)(b)1., F.A.C.

(8) Applicants who are analyzing compliance samples under the Safe Drinking Water Act shall comply with the applicable provisions of the United States Environmental Protection Agency regulations (40 CFR Part 141 paragraph 27 427) and Department Rule 62-550.550, F.A.C. Use of an alternative analytical technique requires written permission from the Department and United States Environmental Protection Agency.

(9) No change.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 4-9-02, Amended 6-8-04, 12-3-08,_____.

62-160.340 Record Keeping and Reporting Requirements for Laboratory Procedures.

(1) Laboratory record keeping requirements shall follow those specified by the DOH ELCP Chapter 64E-1, F.A.C., and this chapter. ~~Records shall be retained for a minimum of five years after the date of project completion or permit cycle unless otherwise specified in a Department contract, order, permit or Title 62 rules. The laboratory records shall contain sufficient information to allow independent reconstruction of all activities related to generating data that are submitted to the Department. In addition, the laboratory shall ensure that its records include all information necessary to support the analytical report (subsection 62-160.340(2), F.A.C.). When requested by the Department, the laboratory shall provide applicable records or copies of the records to the Department. These records shall include, but are not limited to:~~

(a) The laboratory records shall contain sufficient information to allow independent reconstruction of all activities related to generating data that are submitted to the Department.

(b) In addition, the laboratory shall ensure that its records include all information necessary to support the analytical report (subsection 62-160.340(3), F.A.C.).

(c) Records shall be retained for a minimum of five years after the date of generation or completion of the records unless otherwise specified in a Department contract, order, permit or Title 62 rules.

(d) Electronic records shall be acceptable as documentation and shall be considered as equivalent in status and function to paper records or documents, unless otherwise specified in a Department contract, order, permit or Title 62 rule.

1. All documentation requirements in this Chapter shall apply equally to paper and electronic records.

2. Electronic copies intended to replace original records shall contain the same information as the original records, regardless of whether the electronic copies are designated as master or duplicate records.

(e) In addition to the requirements in this rule, governmental agencies shall comply with all applicable requirements in the Florida Statutes and the Florida Administrative Code concerning the management, storage and destruction of public records described in this Chapter.

(2) When requested by the Department, the laboratory shall provide applicable records or copies of the records to the Department. These records shall include, but are not limited to:

(a) Laboratory and project information including:

1. Signed and dated final report (laboratory analytical report) as specified in subsection (3) (2) below;

2. through 8. No change.

(b) Sample receipt, preparation and analysis information including:

1. through 5. No change.

6. Analysis records of original data. Original data is information generated at the time of or as the result of performing laboratory procedures or tests; e.g., "raw" data automatically reported or logged from analytical instrumentation, such as strip chart recordings or chromatograms; handwritten laboratory notes, laboratory notebooks or drawings; completed laboratory forms or bench sheets; and photographs. Original analysis records such as strip chart recordings, laboratory notebooks, chromatograms, etc.

(c) through (j) No change.

(k) Field quality control results including trip blanks, field blanks, equipment blanks, and field replicates as required by DEP-SOP-001/01 (09-19-2012 March 31, 2008), DEP-SOP-003/11 (09-19-2012) or the applicable contract, order, permit, or Title 62 rule; and

(l) Any additional elements specified by the Department in contracts, orders, permits, or Title 62 rules, or Department-approved planning documents such as quality assurance plans, sampling and analysis plans, and monitoring plans;

(m) All documentation for modified, new and alternative methods, as required in Rule 62-160.330, F.A.C.; and

(n) Any additional records required in DEP-SOP-002/01 (09-19-2012), including DEP SOP LD 1000 and all parts and subparts of LD 1000 therein; and, any additional records required in DEP-SOP-003/11 (09-19-2012), including all DEP SOPs, parts and subparts therein, as applicable to the documentation of bioassessment activities.

(3)(2) Except as noted in subsection (4)(3) below, a laboratory shall generate an analytical report that is consistent with the requirements of the DOH ELCP Chapter 64E-1,

F.A.C., and section 5.10 of TNI Standard EL-V1M2-2011, 5.5.10.5 and 5.5.10.6 of 2003 NELAC Standards which is (incorporated by reference in Rule 62-160.800, F.A.C.); The report shall contain all applicable reporting elements specified in and shall otherwise comply with requirements specified in Sections 5.10 through 5.10.11 5.5.10.3 and 5.5.10.4 of TNI Standard EL-V1M2-2011, Module 2 (General Quality Systems Requirements) the 2003 NELAC Standards, and shall use uses the applicable qualifiers as defined in Table 1: Data Qualifier Codes (Rule 62-160.700, F.A.C.). In addition to the stated requirements, laboratories shall ensure that the following requirements are met or reported:

(a) through (e) No change.

(4)(3) Laboratories that are operated by a facility and whose sole function is to provide data to the facility management for compliance purposes (i.e., in-house or captive laboratories as described in section 5.10.10 5.5.10.4 of TNI Standard EL-V1M2-2011, Module 2 (General Quality Systems Requirements), the 2003 NELAC Standard shall meet the requirements specified in that standard 5.5.10.1 of the NELAC Standard.

(4) renumbered (5) No change.

(6)(5) Once issued, a laboratory report is considered final and shall not be amended. Amendments or corrections to a final laboratory report shall be made in accordance with the requirements of section 5.10.9 of TNI Standard EL-V1M2-2011, Module 2 (General Quality Systems Requirements) 5.5.10.8 of the 2003 NELAC Standard.

(6) through (7) renumbered (7) through (8) No change.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 4-9-02, Amended 6-8-04, 12-3-08, _____.

PART IV
MISCELLANEOUS

62-160.600 Research Field and Laboratory Procedures.

(1) through (2) No change.

(3) All research field sampling and laboratory procedures shall be described in a Department-approved work or study plan or in direct contract language. The following minimum elements shall be addressed, as applicable:

(a) through (e) No change.

(f) Identification of any specialized training or certification needed by personnel in order to successfully complete the project or task. This requirement includes specifying any laboratory certification requirements as provided in Rule 62-160.300, F.A.C. The Department project manager may waive the requirement for laboratory certification as provided in paragraph 62-160.300(5)(e), F.A.C. Regardless of a this waiver of the certification requirement, laboratories conducting work for a research project these

~~projects~~ shall operate a quality assurance program consistent with the quality systems standards of The NELAC Institute (TNI Standard EL-V1M2-2011), which are incorporated by reference into this Chapter. The Department shall assist the researcher in determining which specific TNI standards are relevant to the research project. ~~the NELAC specified in Chapter 64E-1, F.A.C.~~

- (g) through (h) No change.
- (4) No change.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History - New 1-1-91, Amended 2-4-93, 2-27-94, Formerly 17-160.600, Amended 3-24-96, 10-15-96, 4-9-02, _____.

62-160.650 Field and Laboratory Audits.

- (1) through (2) No change.
- (3) Upon request, the audited field sampling organization, individual, consultant or responding ~~responsible~~ party shall provide copies of all applicable records as specified in Rule 62-160.240, F.A.C. Sufficient information shall be provided to enable the auditor to independently reconstruct all field procedures related to the project.

(4) Upon request, the audited laboratory, individual, consultant or responding ~~responsible~~ party shall provide copies of those applicable records as specified in Rule 62-160.340, F.A.C. Sufficient information shall be provided to enable the auditor to independently reconstruct all laboratory procedures related to the project.

(5) Within ninety (90) days of the audit, the Department shall provide a preliminary audit report to the audited field sampling or laboratory organization, individual, consultant or responding party (“audited party”, hereinafter). The audited party shall have forty-five (45) days thereafter to respond with a detailed plan of corrective actions and an implementation schedule for the deficiencies that were noted in the preliminary audit report; justification for noted deficiencies that will not be addressed or corrected; and any corrections or rebuttals to the audit findings. If different than the above, a Department program shall specify in rules, contracts, orders or permits any alternative schedules and procedures for the distribution of preliminary audit reports to designated recipients and for any required corrective action plans or other responses from designated respondents.

- (6) No change.
- (7) Once a response has been received, the Department shall evaluate the response for technical applicability and completeness. The Department will issue a final response to the audited party and any affected organization or individual ~~laboratory~~ that specifies acceptance or rejection of the audited party’s plan of corrective actions, provides recommendations concerning the usability of the audited data, and includes a statement of any substantially affected person’s rights under

Chapter 120, F.S. If different than the above, a Department program shall specify in rules, contracts, orders or permits any alternative schedules and procedures for the distribution of the Department’s final response to designated recipients, to include acceptance or rejection of the audited party’s plan of corrective actions, recommendations concerning the usability of the audited data and any other relevant information. Any substantially affected organization or person (e.g., field sampling or laboratory organization, individual, consultant, responding party, affected permittee, or facility owner/operator, ~~laboratory, or field sampling consultant~~) may request an administrative hearing as provided in Chapter 120, F.S., within 21 days of receipt of the final response.

(8) The requirements in subsections 62-160.650(4) through 62-160.650(7), F.A.C shall not apply to field proficiency audits of organizations or persons conducting field bioassessment procedures according to DEP SOPs BRN 1000, LVI 1000 or SCI 1000 (DEP-SOP-003/11).

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History– New 1-1-91, Formerly 17-160.650, Amended 3-24-96, 4-9-02, 12-3-08, _____.

62-160.700 Tables.

The following table has been referenced in this chapter and is identified by this title:

Table 1: Data Qualifier Codes.

Table 1

DATA QUALIFIER CODES

The following codes shall be used by laboratories and/or field organizations when reporting sample data values that either meet the specified descriptions outlined below or do not meet the applicable quality control criteria specified for of the laboratory or field result. Data qualifier codes listed in summary reports or other presentations comprising information that has been reformatted from original reports generated by field or laboratory organizations or individuals shall meet the requirements of subsections 62-160.240(4) and 62-160.340(7), F.A.C. Data qualifier codes added to sample results during data review procedures conducted by organizations or individuals other than the generators of original reports shall meet the requirements of subsections 62-160.240(5) and 62-160.340(8), F.A.C.

SYMBOL MEANING

CODE	DEFINITION
A	Value reported is the arithmetic mean (average) of two or more determinations. This code shall be used if the reported value is the average of results for two or more discrete and separate samples. These samples shall have been processed and analyzed independently. Do not use this code if the data are the result of replicate analysis on the same sample aliquot, extract or digestate.
B	Results based upon colony counts outside the acceptable range. This code applies to microbiological tests and specifically to membrane filter colony counts. The code is to be used if the colony count is generated from a plate in which the total number of coliform colonies is outside the method indicated ideal range. This code is not to be used if a 100 mL sample has been filtered and the colony count is less than the lower value of the ideal range.
F	When reporting species: F indicates the female sex.
H	Value based on field kit determination; results may not be accurate. This code shall be used if a field screening test (e.g., i.e. , field gas chromatograph data, immunoassay, <u>or</u> vendor-supplied field kit, etc.) was used to generate the value and the field kit or method has not been recognized by the Department as equivalent to laboratory methods.
I	The reported value is greater than or equal to the laboratory method detection limit but less than the laboratory practical quantitation limit.
J	Estimated value. A <u>“J”-qualified sample value</u> shall be accompanied by a detailed explanation to justify the reason(s) for designating the value as estimated. Where possible, the organization shall report whether the actual <u>sample value</u> is estimated to be less than or greater than the reported value, <u>to assist data users in any evaluation of the usability of the sample value</u> . A <u>“J” data qualifier code value</u> shall not be used as a substitute for <u>G, K, L, M, S, T, V, or Y</u> , however, if additional reasons exist for identifying the value as an estimate (e.g., <u>laboratory control spike or matrix spiked failed to meet acceptance criteria</u>), the “J” code may be added to a <u>G, K, L, M, T, U, V, or Y qualifier</u> . Examples of situations in which a “J” code must be reported include: instances where a quality control item associated with the reported value failed to meet the established quality control criteria (the specific failure must be identified); instances when the sample matrix interfered with the ability to make any accurate determination; instances when data are questionable because of improper laboratory or field protocols (e.g., composite sample was collected instead of a grab sample); instances when the analyte was detected at or above the method detection limit in <u>an analytical laboratory blank other than the method blank (such as a calibration blank) or field-generated blanks and, the value of 10 times the blank value is was equal to or greater than 10% of the associated sample value); or, instances when the field or laboratory calibrations or calibration verifications did not meet calibration acceptance criteria, including quantitative or chronological bracketing requirements for field testing data.</u>
K	Off-scale low. Actual value is known to be less than the value given. <u>This code shall not be used for microbiological tests or for biochemical oxygen demand. This code shall not be used for field-testing measurements where quantitative bracketing is required.</u> This code shall be used if: 1. The value is less than the lowest calibration standard and the calibration curve is known to be non-linear; or 2. The value is known to be less than the reported value based on sample size, dilution. This code shall not be used to report values that are less than the laboratory practical quantitation limit or laboratory method detection limit.
L	Off-scale high. Actual value is known to be greater than value given. <u>This code shall not be used for microbiological tests or biochemical oxygen demand. This code shall not be used for field-testing measurements where quantitative bracketing is required.</u> To be used when the concentration of the analyte is above the acceptable level for quantitation (exceeds the linear range or highest calibration standard) and the calibration curve is known to exhibit a negative deflection.
M	When reporting chemical analyses: presence of material is verified but not quantified; the actual value is less than the value given. The reported value shall be the laboratory practical quantitation limit. This code shall be used if the level is too low to permit accurate quantification, but the estimated concentration is greater than or equal to the method detection limit. If the value is less than the method detection limit use “T” below.
N	Presumptive evidence of presence of material. This qualifier shall be used if: 1. The component has been tentatively identified based on mass spectral library search; or 2. There is an indication that the analyte is present, but quality control requirements for confirmation were not met (i.e., presence of analyte was not confirmed by alternative procedures).
O	Sampled, but analysis lost or not performed.

Q	Sample held beyond the accepted holding time. This code shall be used if the value is derived from a sample that was prepared or analyzed after the approved holding time restrictions for sample preparation or analysis.
T	Value reported is less than the laboratory method detection limit. The value is reported for informational purposes only and shall not be used in statistical analysis.
U	Indicates that the compound was analyzed for but not detected. This symbol shall be used to indicate that the specified component was not detected. The value associated with the qualifier shall be the laboratory method detection limit. Unless requested by the client, less than the method detection limit values shall not be reported (see "T" above).
V	A "V"-qualified sample value indicates that the analyte was detected at or above the method detection limit in both the sample and the associated method blank and the value of 10 times the blank value was equal to or greater than 10% of the associated sample value. The 10% criterion shall not apply to blank results for biochemical oxygen demand (BOD) or microbiological tests. For BOD tests, the "V" code shall be used for all sample results where the associated method blank result exceeds the maximum blank DO depletion specified in the analytical method. For microbiological tests, the "V" code shall be used for all samples where the associated method blank indicates growth of the target organism. Note: unless specified by the method, the value in the blank shall not be subtracted from associated samples.
X	Indicates, when reporting results from a Stream Condition Index Analysis (SCI 1000 ET 7200 and FS 7420), that insufficient individuals were present in the sample to achieve a minimum of 280 organisms for identification (the method calls for two aliquots of 140-160 organisms), suggesting either extreme environmental stress or a sampling error.
Y	The laboratory analysis was from an improperly preserved sample. The data may not be accurate.
Z	Too many colonies were present for accurate counting. Historically, this condition has been reported as "too numerous to count" (TNTC). The "Z" qualifier code shall be reported when the total number of colonies of all types is more than 200 in all dilutions of the sample. When applicable to the observed test results, a numeric value for the colony count for the microorganism tested shall be estimated from the highest dilution factor (smallest sample volume) used for the test and reported with the qualifier code. <u>Atypical, non-target, spreading colonies or other interferences may prevent estimation of typical target organism counts.</u>
?	Data are rejected and should not be used. Some or all of the quality control data for the analyte were outside criteria, and the presence or absence of the analyte cannot be determined from the data.
*	Not reported due to interference.

The following codes deal with certain aspects of field activities. The codes shall be used if the laboratory has knowledge of the specific sampling event. The codes shall be added by the organization collecting samples if they apply:

SYMBOL MEANING	
CODE	DEFINITION
D	Measurement was made in the field (i.e., in situ). This code applies to any value (except field measurements of pH, specific conductance, dissolved oxygen, temperature, total residual chlorine, transparency, turbidity or salinity) that was obtained under field conditions using approved analytical methods. If the parameter code specifies a field measurement (e.g., "Field pH"), this code is not required.
E	Indicates that extra samples were taken at composite stations.
G	<u>A "G"-qualified sample value indicates that the analyte was detected at or above the method detection limit in both the sample and the associated field blank, equipment blank, or trip blank, and the blank value was greater than 10% of the associated sample value. The value in the blank shall not be subtracted from associated samples.</u>
R	Significant rain in the past 48 hours. (Significant rain typically involves rain in excess of 1/2 inch within the past 48 hours.) This code shall be used when the rainfall might contribute to a lower <u>or higher</u> than normal value.
S	<u>Secchi disk visible to bottom of waterbody. The value reported is the depth of the waterbody at the location of the Secchi disk measurement.</u>
!	Data deviate from historically established concentration ranges.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 1-1-91, Amended 2-4-93, 2-27-94, Formerly 17-160.700, Amended 3-24-96, 4-9-02, 6-8-04, 12-3-08.

62-160.800 Documents Incorporated by Reference.

(1) Specific references to the documents listed below are made throughout this chapter and are incorporated by reference.

(a) Department of Environmental Protection Standard Operating Procedures for Field Activities, DEP-SOP-001/01 (09-19-2012 ~~March 31, 2008~~), Florida Department of Environmental Protection, Standards and Assessment Section.

(b) Department of Environmental Protection Standard Operating Procedures for Laboratory Activities, DEP-SOP-002/01 (09-19-2012 ~~March 31, 2008~~), Florida Department of Environmental Protection, Standards and Assessment Section.

(c) Department of Environmental Protection, Standard Operating Procedures Selected Bioassessment Activities, DEP-SOP-003/11 (09-19-2012), Florida Department of Environmental Protection, Standards and Assessment Section.

(c) through (f) renumbered (d) through (g) No change.

~~(g) Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; National Primary Drinking Water Regulations; and National Secondary Drinking Water Regulations; Analysis and Sampling Procedures, Final Rule, Federal Register, Vol. 72, No. 47, Monday March 12, 2007 pp. 11200-11249-14233.~~

~~(h)(i) EPA Quality Policy and Program Requirements for the Mandatory Agency Wide Quality System, EPA Order CIO 2106.0 2105.0 (formerly 5360.1 A2), 10/20/08 May 5, 2000, United States Environmental Protection Agency.~~

~~(i) The NELAC Institute (TNI), EL-V1M2-2011, Environmental Laboratory Sector, Vol. 1, Management and Technical Requirements for Laboratories Performing Environmental Analyses, Module 2: Quality Systems General Requirements.~~

~~(j) 2003 NELAC Standards, EPA/600/R-04/003, June 5, 2003, United States Environmental Protection Agency.~~

~~(j)(k) Glossary, Appendix A to Chapter 1, Program Policy and Structure, 2003 NELAC Standards, Approved July 5th, 2003, EPA/600/R-04/003, of the 2001 NELAC Standards, EPA/600/R-01/100, May 2001, United State Environmental Protection Agency.~~

~~(k) Department of Environmental Protection, Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer (DEP-SAS-001/11).~~

~~(l) Department of Environmental Protection, Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer (DEP-SAS-002/11).~~

~~(m) Guidelines Establishing Test Procedures for the Analysis of Pollutants Under the Clean Water Act; Analysis and Sampling Procedures, Final Rule, Federal Register, Vol. 77, No. 97, Friday, May 18, 2012, Rules and Regulations, pp. 29758-29846.~~

(2) No change.

Rulemaking Authority 403.061, 403.0623 FS. Law Implemented 373.026, 373.309, 373.409, 373.413, 373.414, 373.416, 373.4592, 376.303, 376.305, 376.3071, 403.0623, 403.0625, 403.087, 403.088, 403.0881, 403.504, 403.704, 403.707, 403.722, 403.853 FS. History—New 4-9-02, Amended 6-8-04, 12-3-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 9, 2011

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-2.001 RULE TITLE: License by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised application for endorsement into the current rule.

SUMMARY: The revised Application for endorsement will be incorporated into the rule.

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: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. 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.

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: 468.353(1) FS.

LAW IMPLEMENTED: 468.358, 468.365 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, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-2.001 License by Endorsement.

(1) Applicants for licensure as a Registered Respiratory Therapist or Certified Respiratory Therapist in the state of Florida shall apply on Form DH-MQA 1145, Application by Endorsement, Revised 07/12 07/11, incorporated herein as this Board's application form and available on the web at <http://www.flrules.org/Gateway/reference.asp?No=Ref 01054 DH-MQA 1145, Application by Endorsement or http://www.doh.state.fl.us/mqa/respiratory/index.html>.

(2) through (3) No change.

Rulemaking Authority 468.353(1) FS. Law Implemented 468.358, 468.365 FS. History--New 4-29-85, Formerly 21M-34.02, 21M-34.002, 61F6-34.002, 59R-71.002, 64B8-71.002, Amended 7-22-02, 8-28-05, 6-12-07, 5-15-08, 5-25-09, 5-10-10, 10-6-10, 3-28-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Respiratory Care
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Respiratory Care
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 13, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 11, 2012

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.210
RULE TITLE: Use of Force

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 35, August 31, 2012 issue of the Florida Administrative Register.

The correction is in response to comments by the Joint Administrative Procedures Committee in a letter dated September 28, 2012. At subsection (8)(1)3., in the fifth sentence, it should state "on Form DC6-210".

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.: RULE TITLE:

19B-12.001: Special Petition

19B-12.002: Point of Entry

19B-12.003: Financial Hardship

The Florida Prepaid College Board (Board), State Board of Administration, hereby gives notice:

on October 29, 2012, the Board issued an order. The Final Order was in response to a Petition for Variance and/or Waiver from Mr. Theodore S. Forman, Esq., filed August 10, 2012, and advertised in Vol. 38, No. 35, of the Florida Administrative Register on August 31, 2012. No comments were received in response to the petition. The Final Order on the Petition for Variance and/or Waiver denies the Petitioner a variance and/or waiver of Rule 19B-12, Florida Administrative Code, which provides for grievance petitions, i.e., special petition, point of entry, and hardships, which the Board does not have authority to grant. Furthermore, the Petitioner did not demonstrate a hardship nor an abridgement of the principles of fairness to support its petition seeking a variance and/or waiver from purchasing the tuition differential fee plan in 2012 at the 2012 rates and seeking permission instead to purchase the tuition differential fee plan at 2007 rates.

A copy of the Order or additional information may be obtained by contacting: José Lorenzo, Chief Legal Counsel, 1801 Hermitage Blvd., Suite 210, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 25, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 400 Housing. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3 and 3.10.3, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations and top-of-car operating

devices which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2012-352).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on October 26, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Professional Building. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 111.5, as adopted by 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators door restrictors which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2012-353).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On October 30, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Estero Beach Club East, filed October 8, 2012, and advertised on October 11, 2012 in Vol. 38, No. 48, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Rule 61C-5.001(1) Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations until October 15, 2020 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-330).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On October 30, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Church of Scientology, filed October 8, 2012, and advertised on October 11, 2012 in Vol. 38, No. 48, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4, 3.3.2, 3.11.1, 2.1.5, 2.2.4, 2.3.3, 3.10.4(e), 3.12.2, and 3.9 ASME A17.3, 1996 edition, as adopted by Rule 61C-5.001(1) Florida Administrative Code that requires upgrading the elevators door restrictors, platform guards, car emergency signaling devices, counterweight guards, ventilation, stop switch, electrical protective devices, rope data tag, and terminal stopping devices until October 1, 2014 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-328).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On October 30, 2012 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Winter Haven Harbour Cond Condominium, filed July 12, 2012, and advertised on July 27, 2012 in Vol. 38, No. 30, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.10.4(t) and 3.3.2 ASME A17.3, 1996 edition, as adopted by Rule 61C-5.001(1) Florida Administrative Code that requires upgrading the elevators platform guards and in-car stop switch

until August 1, 2015 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-223)

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On October 30, 2012 the Division issued an order. The Final Order was in response to a Petition for a Variance from Port Belleair No 2, filed August 13, 2012, and advertised on August 24, 2012 in Vol. 38, No. 34, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 8.6.5.8 ASME A17.1b, 2009 edition, as adopted by Rule 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators safety bulkhead until December 31, 2017 because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2012-265).

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

Section VI

Notices of Meetings, Workshops and Public Hearings

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 15, 2012, 10:00 a.m.

PLACE: Boca Raton Fire Rescue, 6500 Congress Avenue, Boca Raton, Florida 33487

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the quarterly meeting of Council's Florida District X Local Emergency Planning Committee

A copy of the agenda may be obtained by contacting: Kathryn Boer at 772-221-4060

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: Kathryn Boer at 772 221-4060. 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: Kathryn Boer at 772 221-4060.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-302.110: Written Monthly Reports

The Department of Corrections announces a public meeting to which all persons are invited.

DATE AND TIME: November 28, 2012, 10:00 a.m.

PLACE: Florida Department of Corrections, Carlton Building, 1st Floor, Room 118, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to a request for a hearing, the hearing is being held to hear public comments on Rule 33-302.110, F.A.C.

A copy of the agenda may be obtained by contacting: LaDawna Fleckenstein, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, 850-717-3268.

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: Martie Taylor, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, 850-717-3907. 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).

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Central Florida Water Initiative (CFWI), Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District each, and a representative from each of the following: The Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities

within the Central Florida Coordination Area. The CFWI Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 9, 2012, at 9:30 a.m.

PLACE: Toho Water Authority, 951 Martin Luther King Boulevard, Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFWI Steering Committee is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Coordination Area. The CFWI Steering Committee will consider matters appearing on the agenda for the meeting or matters added to the agenda as determined by the Chair of the Committee. Additional information about this effort may be found at <http://cfwiwater.com>.

NOTE: One or more additional Governing Board members from each of the three districts named above may attend and participate in the meeting of the CFWI Steering Committee.

A copy of the agenda may be obtained by contacting: John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com or <http://cfwiwater.com/> seven days before the meeting.

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: Nilsa Diaz, Executive Assistant to the Executive Director, Tohopekaliga Water Authority, (407)944-5000. 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: Woody Boynton Jr., Assistant Executive Director, St. Johns River Water Management District, P.O. Box 1429, Palatka, FL 32178-1429, (386)329-4101, email: wboynton@sjrwmd.com; Dean Powell, Chief of Water Supply Bureau, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561) 682-6787, email: dpowell@sfwmd.gov; Rand Frahm, Planning Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, email: rand.frahm@watermatters.org; John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: November 9, 2012, 9:00 a.m.

Lake Belt Mitigation Committee

PLACE: SFWMD, 3301 Gun Club Road, West Palm Beach, FL 33406, B-1, 3rd Floor, Storch Room.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

This meeting is being teleconferenced. Teleconference information: Local SFWMD 561-682-6700; Nationwide Toll Free 866-433-6299, Meeting ID #: 1043.

A copy of the agenda may be obtained by contacting: Lourdes Elias, (561) 682-2706 or <http://www.sfwmd.gov/miamidade> Click on "Task Force and Coordination Teams" in the Related Links section.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the District Clerk, 561-682-2087. 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: The South Florida Water Management District, Attention: Lourdes Elias, MSC 4110, 3301 Gun Club Road, P.O. Box 24680, West Palm Beach, FL 33416-4680.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The Big Cypress Basin announces a public meeting to which all persons are invited.

DATE AND TIME: November 7, 2012, 8:00 a.m.

PLACE: Big Cypress Basin Service Center, 2660 Horseshoe Drive North, Naples, Florida 34104.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular Basin Board business.

A copy of the agenda may be obtained by contacting: Kathleen Tetrault at (239) 263-7615.

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: Kathleen Tetrault at (239)263-7615. 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: Kathleen Tetrault at (239)263-7615.

DEPARTMENT OF ELDER AFFAIRS

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 8, 2012 from 9:00 a.m. - 11:00 a.m. (EST)

PLACE: Reserve your Webinar seat now at: <https://www2.gotomeeting.com/register/898096634>. Audio

information: This webinar will be presented using Voice Over Internet Protocol (VOIP). To utilize VOIP, please have speakers and a microphone connected to your computer. If speakers and a microphone are not available to you, or your computer doesn't have a sound card, please login to the webinar and follow the prompts to call the conference line (long distance charges apply). To avoid long distance charges, please see the audio options below. If you have any questions prior to the webinar regarding the audio options, please contact: Shandra McGlohon, Florida Department of Elder Affairs, email: mcglohonsa@elderaffairs.org, (850)414-2317. Audio options (USB equipment is ideal): (1) USB or analog headset. (2) Headphones and microphone. (3) Speakers and microphone. (4) Speakers only – Questions and comments can be submitted via the Question Pane. After registering you will receive a confirmation email containing information about joining the Webinar. System Requirements PC-based attendees Required: Windows® 7, Vista, XP, 2003 Server or 2000 Macintosh®-based attendees Required: Mac OS® X 10.4.11 (Tiger®) or newer

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the second meeting of the Purple Ribbon Task Force that was established within the Department of Elderly Affairs. The purpose of the task force is to:

- assess the current and future impact of Alzheimer's disease and related forms of dementia on the state;
- examine the existing industries, services, and resources addressing the needs of persons having Alzheimer's disease or a related form of dementia and their family caregivers;
- examine the needs of persons of all cultural backgrounds having Alzheimer's disease or a related form of dementia and how their lives are affected by the disease from younger-onset, through mid-stage, to late-stage; and
- develop a strategy to mobilize a state response to this public health crisis.

A copy of the agenda may be obtained by contacting: Joshua Spagnola, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2155, email: spagnolaj@elderaffairs.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 72 hours before the workshop/meeting by

contacting: Joshua Spagnola, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2155, email: spagnolaj@elderaffairs.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: Joshua Spagnola, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, (850)414-2155, email: spagnolaj@elderaffairs.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Bureau of Assessment and Restoration Support, announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, November 15, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To present information and receive public comments on proposed revisions to Chapters 62-302, 62-303, and 62-4, F.A.C., under the Triennial Review of state surface water quality standards. This public workshop is a follow up to public workshops held on May 15-17, July 31, August 1-2, 2012, as well as a public meeting of the Human Health-based Criteria Peer Review Committee on October 8-9, 2012. Proposed changes include revisions to human health-based surface water quality criteria, revisions to the dissolved oxygen criteria (both fresh and marine waters), and other issues discussed at the previous public workshops.

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or email: eric.shaw@dep.state.fl.us.

Additional information about the rulemaking may be obtained from the Department's web site: <http://www.dep.state.fl.us/water/wqssp/index.htm>.

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: Eric Shaw at (850)245-8429. 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 ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-40.110: Declaration and Intent

62-40.210: Definitions

62-40.410: Water Supply Protection and Management

62-40.412: Water Conservation

62-40.416: Water Reuse and Recycling

62-40.473: Minimum Flows and Levels

62-40.474: Reservations.

62-40.510: Florida Water Plan

The Department of Environmental Protection announces three workshops to which all persons are invited.

DATE AND TIME: November 14, 2012, 9:00 a.m.

PLACE: Palm Beach County Governmental Center, 301 N. Olive Ave., 6th Floor Chambers, West Palm Beach, FL

This event is not sponsored by or affiliated with Palm Beach County.

DATE AND TIME: November 15, 2012, 9:00 a.m.

PLACE: Burnett Park, 4801 W Colonial Drive, Orlando FL near the baseball fields and next to the gymnasium off Delores Drive.

This event is not sponsored by or affiliated with Orange County.

DATE AND TIME: November 16, 2012, 9:00 a.m.

PLACE: 4075 Esplanade Way, Room 152, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Environmental Protection gives notice that it is developing rules as instructed by House Bill 639 and as part of the statewide effort to improve consistency in the Consumptive Use Permitting Programs implemented by the Water Management Districts. House Bill 639 requires the Department to revise the Water Resource Implementation Rule, Chapter 62-40, F.A.C., to include criteria for reuse offsets and credits. In addition to offsets and credits, Chapter 62-40 will also be revised to include other recommendations of the Reclaimed Water Policy Workgroup and recommendations resulting from the Consumptive Use Permitting Consistency Initiative. A copy of the draft rule language will be available online at <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm> by November 2, 2012. A copy of the agenda may be obtained by contacting: Kathleen P. Greenwood, (850)245-3147, kathleen.greenwood@dep.state.fl.us.

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: Kathleen P. Greenwood at (850)245-3147. 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

Board of Medicine

The Board of Medicine – Probable Cause Panel South announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 9, 2012, 2:00 p.m.

PLACE: Meet-Me #: (888)670-3525, Participation Code: 780-967-6207

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640 ext. 8180 or email her at Karen_Miller2@doh.state.fl.us.

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: Karen Miller at (850)245-4640, ext. 8180 or email her at Karen_Miller2@doh.state.fl.us. 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.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Probable Cause Panel North announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 16, 2012, 2:00 p.m.

PLACE: Meet-Me #: (888)670-3525, Participation Code: 780-967-6207

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause

A copy of the agenda may be obtained by contacting: Susan Chase at (850) 245-4640 ext. 8145 or email her at susan_chase@doh.state.fl.us.

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: Susan Chase at (850) 245-4640 ext. 8145 or email her at susan_chase@doh.state.fl.us. 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.

DEPARTMENT OF HEALTH

Board of Nursing

The Florida Board of Nursing North Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 8, 2012 at 10:30 a.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (888)670-3525 code 6126445695.

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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: the Board at (850)245-4125. 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.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy, Prescription Drug Abuse Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 8, 2012 at 10:30 a.m.

PLACE: Conference Call Number 888-670-3525, conference code: 5134896685

GENERAL SUBJECT MATTER TO BE CONSIDERED: Prescription Drug Abuse

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at 850-245-4292

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: Florida Board of Pharmacy at 850-245-4292. 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: The Florida Board of Pharmacy, 4052 Bald Cypress Way, Bin C-04, Tallahassee, FL 32399-3254 or (850)245-4292

DEPARTMENT OF HEALTH

Division of Environmental Health

The Department of Health, Water & Onsite Sewage Section announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2012, 10:30 a.m.

PLACE: Room S-529, Hurston Building South, 400 W. Robinson St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting will be for the Governor's Public Swimming Pool Advisory Board to make recommendations to the department for agency action on variance requests, rule and policy development, and other technical review problems.

A copy of the agenda may be obtained by contacting: Robert Pryor, Department of Health, Water and Onsite Sewage Section, 4052 Bald Cypress Way, BIN C-22, Tallahassee, FL 32399-7013; bob_pryor@doh.state.fl.us; (850) 245-4250 Ext. 2369

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: Robert Pryor, Department of Health, Water and Onsite Sewage Section, 4052 Bald Cypress Way, BIN C-22, Tallahassee, FL 32399-7013; bob_pryor@doh.state.fl.us; (850) 245-4250 Ext. 2369. 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: Robert Pryor, see contact information above.

DEPARTMENT OF HEALTH

Division of Environmental Health

The Bureau of Environmental Health, Onsite Sewage Programs announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2012 at 10:00 a.m. ET

PLACE: Florida Department of Health Southwood Complex, 4042 Bald Cypress Way, Room #240 P, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The

purpose of this meeting is to discuss and guide current, proposed, and potential future onsite sewage research projects. This meeting will discuss the Nitrogen Reduction Strategies Study, the draft report for an EPA Non-Point Source Pollution Grant on the performance and management of advanced onsite sewage treatment and disposal systems in Florida, and other ongoing and possible future research projects. Part of this meeting may be accessible via web conference with details to be posted on the Bureau website: <http://www.doh.state.fl.us/environment/ostds/research/index.html>.

A copy of the agenda may be obtained by contacting: Elke Ursin, Department of Health, Bureau of Environmental Health, Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at 850-245-4070, x2708, or by e-mail at Elke_Ursin@doh.state.fl.us.

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: Elke Ursin, Department of Health, Bureau of Environmental Health, Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at 850-245-4070 x2708, or by e-mail at Elke_Ursin@doh.state.fl.us. 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: Elke Ursin, Department of Health, Bureau of Environmental Health, Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399-1713, by phone at 850-245-4070 x2708, or by e-mail at Elke_Ursin@doh.state.fl.us.

TREASURE COAST EDUCATION AND RESEARCH DEVELOPMENT AUTHORITY

The Treasure Coast Education, Research and Development Authority (TCERDA) announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2012, 2:00 p.m. and December 13, 2012, noon.

PLACE: UF/IRREC, 2199 S. Rock Road, Fort Pierce, FL 34945-3138

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any business as the Authority may deem appropriate or as may come before the Authority; Committee Reports, Minutes, etc.

A copy of the agenda may be obtained by contacting: Treasure Coast Research Park (TCRP) Office at 772-467-3107.

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: Treasure Coast Research Park (TCRP) Office at

772-467-3107. 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: Treasure Coast Research Park (TCRP) Office at 772-467-3107.

ABLE TRUST

The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 7, 2012 at 9:00 a.m. (EST)

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation) will hold its quarterly Board of Directors meeting. The agenda will include review of financial reports, grant recommendations to assist in creating successful employment opportunities for persons with disabilities; reviewing committee reports; and other business that may come before the organization.

A copy of the agenda may be obtained by contacting: The Able Trust at (850)224-4493 or at info@abletrust.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 4 days before the workshop/meeting by contacting: The Able Trust at (850)224-4493 or at info@abletrust.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: The Able Trust at (850)224-4493 or at info@abletrust.org.

FLORIDA INSTITUTE FOR THE COMMERCIALIZATION OF PUBLIC RESEARCH

The Florida Institute for the Commercialization of Public Research announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2012, 3:00 p.m. – 3:30 p.m.

PLACE: Florida Institute for the Commercialization of Public Research

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update of Board of Directors operations.

A copy of the agenda may be obtained by contacting: Teri Hart at teri.hart@florida-institute.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 3 days before the workshop/meeting by contacting: Teri Hart at teri.hart@florida-institute.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: Teri Hart at teri.hart@florida-institute.com

ENTERPRISE FLORIDA, INC.

The Enterprise Florida, Inc. and the Florida Defense Support Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2012, 9:00 a.m. - noon

PLACE: Residence Inn by Marriott, Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Defense Support Task Force makes recommendations to the Governor and Legislature to promote, protect and enhance Florida's military missions and installations and to improve the state's military-friendly environment for service members, military dependents, military retirees, and businesses which bring military and base-related jobs to Florida. The Task Force routinely reviews and discusses a wide range of military and defense-related issues that support this mission.

A copy of the agenda may be obtained by contacting: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com; Bruce Grant, (850)878-0826, bgrant@eflorida.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 1 days before the workshop/meeting by contacting: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com; Bruce Grant, (850)878-0826, bgrant@eflorida.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: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com; Bruce Grant, (850)878-0826, bgrant@eflorida.com.

FLORIDA TELECOMMUNICATION RELAY

The Florida Telecommunications Relay, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 16, 2012, at 10:00 a.m.

PLACE: Florida Telecommunications Relay, Inc., 1820 E. Park Avenue, Suite 101, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: There will be an annual membership meeting followed by a regular meeting of the Board of Directors. These meetings are subject to cancellation for lack of a quorum or unavailability of an interpreter.

A copy of the agenda may be obtained by contacting: Mr. James Forstall, Florida Telecommunications Relay, Inc., 1820 E. Park Avenue, Tallahassee, Florida 32301.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that Division of Drugs, Devices and Cosmetics has received the petition for declaratory statement from Jack Jerrett, General Counsel on behalf of OraSure Technologies, Inc., filed on September 13, 2012. The petition seeks the agency's opinion as to the applicability of Section 499.005(13), Florida Statutes, to the Petitioner's sale, delivery, holding, or offering for sale of Petitioner's FDA-approved HIV test kit, the OraQuick In-Home HIV Test, as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, Florida 32399-1047

Please refer all comments to: Reggie Dixon, Executive Director, Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A, Tallahassee, Florida 32399-1047.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NOTICE IS HEREBY GIVEN that on October 26, 2012, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling has received the petition for declaratory statement from Joseph Sansone. The petition seeks the agency's opinion as to the applicability of Section 491.003, Florida Statutes as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 491.003, Florida Statutes and whether petitioner is allowed to practice hypnotherapy as a Licensed Mental Health Counselor.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

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:

NONE

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

NONE

Section IX
Notices 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

Notice of Bid

The University of Florida, Purchasing Services will receive sealed bids for the following: ITB13MB-123, Track Field parking Lot Paving WO#1382602, estimated budget: \$200,000+, to be opened Friday, November 30, 2012 at 2:00 p.m. in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The Track Field Lot project involves milling,

resurfacing, and re-striping of the existing parking lot. Work also includes reconstruction of a portion of the parking lot that spans the middle median section. As a result, in addition to new pavement and curbing, some existing sidewalk, trees, irrigation, lighting, and electric will be impacted and will require removal and replacement. Work also includes a new storm pipe and two new inlets and new concrete pavement for scooter parking. The owner will provide pavement markings for the concrete scooter areas. All other striping in the parking lot is the responsibility of the contractor. Mandatory pre-bid meeting will be held Thursday, November 15, 2012 at 10:00 a.m., Building 700, Room 150, SW Radio Road, Gainesville, FL with optional site visit to follow. Doors will be locked promptly at 10:00 a.m. Questions should be directed to Mercedes Bongiovanni, mbongio@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu. AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

FISH AND WILDLIFE CONSERVATION COMMISSION
FWC 12/13-33 CARRABELLE DOCK CONSTRUCTION

ADVERTISEMENT FOR BIDS

BIDS ARE REQUESTED FROM QUALIFIED CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

PROJECT NO: FWC 12/13-33

PROJECT NAME: CARRABELLE DOCK CONSTRUCTION

PROJECT LOCATION: FRANKLIN COUNTY, FLORIDA
FOR:

Work on this proposed Contract comprises the construction of a dock and all associated work at the Carrabelle Law Enforcement Office.

QUALIFICATION:

Each bidder whose field is governed by Chapter 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit qualification data of their eligibility to submit proposals with their bid.

PRE-BID CONFERENCE:

A mandatory pre-bid conference has been scheduled for 10:00am EDT on Wednesday, November 14, 2012, at: Carrabelle Field Office, 287 Graham Drive, Carrabelle, FL 32322. Phone: (850) 921-9931.

REQUIRED BONDS:

On projects where the base bid and sum of all additive alternates exceeds \$100,000, bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

After award of contract, a 100% performance bond and a 100% labor and material payment bond will be required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: December 05, 2012, 2:00 p.m. EST.

PLACE:

Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Tel. (850)488-3427.

PROPOSAL:

Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Permits, Bidding Conditions, and Contractual Conditions.

BID PACKAGE:

Bid documents shall be obtained from the Commission, by downloading at no cost from: http://myflorida.com/apps/vbs/vbs_www.search.criteria_form.

Search for Advertisement Number: FWC 12/13-33.

CONTACT PERSON:

Direct questions to the Bid Supervisor: Mrs. Sharita Newman, Florida Fish & Wildlife Conservation Commission, Purchasing Dept., 620 South Meridian Street, Tallahassee, Florida 32399-1600. Phone: (850)617-9614. Fax: (850)921-2500. E-mail: sharita.newman@myfwc.com

**Section XII
Miscellaneous**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
Siting Coordination Office**

**NOTICE OF FILING OF APPLICATION FOR POWER
PLANT CERTIFICATION**

On October 4, 2012, the Siting Coordination Office received an application for certification of a power plant pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et

seq., Florida Statutes (F.S.), from Tampa Electric Company for the construction and operation of the Polk 2-5 Combined Cycle Conversion Project in the Polk County, Power Plant Siting Application No. PA92-32A3, OGC Case No. 12-1566. A copy of the site certification application is available for review in the Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.507, F.S., and Chapter 62-17, Florida Administrative Code, statutory parties to the site certification proceeding should review the application and submit their reports and recommendations. In the future, a proposed certification hearing date will be announced. Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the Water Management District, the Department of Environmental Protection, the Regional Planning Council, the local governments, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention

pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with the Administrative Law Judge assigned to the case by the Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, prior to 30 days before the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant. Pursuant to Section 403.508(6), F.S., if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, the certification hearing may be cancelled.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Receipt of Applications for Permit Coverage under the State's Generic Permit for MS4's

The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from Town of Sewall's Point, City of Holly Hill, City of Cape Canaveral, City of Daytona Beach and St. Lucie County. The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Kathleen Downey, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, (M.S. 2500), Tallahassee, FL 32399-2400.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On October 30, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lori K. Hall, C.N.A., License # CNA 89061. 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 (2011). 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

Notice of Emergency Action

On October 30, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Suzanne D. Oliver, R.N., License # RN #9190833. 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. (2011) 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

Notice of Emergency Action

On October 30, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Nathlee Curtis Strickland, III, R.N., License # RN #9185436. 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 (2011). 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

Notice of Emergency Action

On October 30, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Teri Lynn Moore, L.P.N., License # PN 5165529. 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. (2011) 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

Notice of Emergency Action

On October 30, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Paul Glenn Abernathy II, L.P.N., License # PN #1195971. 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. (2011) 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

Notice of Emergency Action

On October 30, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Cheryl K. Swanson, R.N., License # RN #1737512. 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. (2011) 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

Notice of Emergency Action

On October 30, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Mary Jean Y. Mantz, R.N., License # RN #9181281. 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. (2011) 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 Pharmacy

Notice of Emergency Action

On October 30, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Robert Niel Classon, R.Ph., License # PU 6923 and PS 21282. 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 (2011). 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.

Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012.
