

November 17, 2006, issue of the Florida Administrative Weekly. The correction is as follows:

The date Notice of Proposed Rule Development published in FAW is to read February 24, 2006 instead of February 2, 2006.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Regulatory Council of Community Association Managers, 1940 N. Monroe Street, Tallahassee, Florida 32399-0790

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-5.001
 RULE TITLE: Definitions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 23, June 9, 2006 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-10.0065
 RULE TITLE: Reinstatement of Null and Void License Pursuant to Section 455.271(6)(b) of the Florida Statutes

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 33, August 18, 2006 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Surveyors and Mappers

RULE NO.: 61G17-3.0021
 RULE TITLE: Education

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule development, as noticed in Vol. 32, No. 30, July 28, 2006 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-9.007
 RULE TITLE: Forms and Instructions

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 32, No. 47, November 22, 2006 issue of the Florida Administrative Weekly.

The above-proposed rule was published in the November 22, 2006 issue of the Florida Administrative Weekly, Vol. 32, No. 47. The date of publishing for the original notice of rule development was erroneously given as October 12, 2006. The correct date is October 27, 2006. The foregoing change does not affect the substance of the proposed rule.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CHANGE IS: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3256

**Section IV
 Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section V
 Petitions and Dispositions Regarding Rule Variance or Waiver**

DEPARTMENT OF LAW ENFORCEMENT

The Department of Law Enforcement, Criminal Justice Standards and Training took action at its November 16, 2006, meeting on a petition for waiver received from Sharon Graham, on September 13, 2006. Notice of receipt of this petition was published in the F.A.W., Vol. 32, No. 42, October 20, 2006. No public comment was received. Petitioner requested a waiver of paragraph 11B-35.001(3)(c), F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department grant her CMS Instructor certification retroactive to February 13, 2006.

On November 16, 2006, the Criminal Justice Standards and Training Commission granted a waiver of this rule to Sharon Graham, in a final order, OGC File No.: VAR 06-12. This rule waiver was granted because the petitioner demonstrated that a strict application of the rule would result in undue hardship to her or would affect her differently than other similarly situated persons and because the petitioner could successfully fulfill the requirements of Section 943.14, F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training took action at its November 16, 2006, meeting on a petition for waiver received from Osceola County Sheriff's Office, on September 19, 2006. Notice of receipt of this petition was published in the F.A.W., Vol. 32, No. 42, October 20, 2006. No public comment was received. Petitioner requested a waiver of Rule 11B-35.001, F.A.C., pursuant to Section 120.542, F.S. Petitioner requested that the Department recognize a specialized/advanced salary incentive class that it taught without the involvement of a certified training school.

On November 16, 2006, the Criminal Justice Standards and Training Commission denied a waiver of this rule to the Osceola County Sheriff's Office, in a final order, OGC File No.: VAR 06-13. This rule waiver was denied because the petitioner failed to demonstrate that a strict application of the rule would result in undue hardship to it or would affect it differently than other similarly situated applicants and because the petitioner could not successfully fulfill the requirements of Section 943.14, F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, Telephone (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training took action at its November 16, 2006, meeting on a petition for waiver received from Charles Kline, on October 30, 2006. Notice of receipt of this petition was published in the F.A.W., Vol. 32, No. 45, November 9, 2006. No public comment was received. Petitioner requested a waiver of paragraph 11B-20.0016(1)(c), F.A.C., pursuant to Section 120.542, F.S. Petitioner requested that the Department waive the electronic transmission requirement for instructor certification and backdate his certification from September 6, 2006, to August 4, 2006.

On November 16, 2006, the Criminal Justice Standards and Training Commission granted a waiver of this rule to Charles Kline, in a final order, OGC File No.: VAR 06-15. This rule waiver was granted because the petitioner demonstrated that a strict application of the rule would result in undue hardship to him or would affect him differently than other similarly

situated persons and because the petitioner could successfully fulfill the requirements of Section 943.14, F.S., by other means.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, Telephone (850)410-7687.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

PUBLIC SERVICE COMMISSION

NOTICE OF AMENDMENT – NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Town and Country Utilities Company, filed on September 26, 2006, in Docket No. 060602-SU, seeking a temporary waiver of paragraphs 25-30.033(1)(h), (j), (k), (m), (o), (r), (t), (u), (v), and (w), Florida Administrative Code. The petition requests that these portions of the rule, which address information required for setting initial rates in original wastewater certificate proceedings, be waived temporarily to permit bifurcation of the certification proceeding into an initial certification portion, followed at a later date by the rate setting portion of the proceeding.

Comments on the petition should be filed with the Commission's Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days of publication of this notice. A copy of the petition may be obtained at (<http://www.psc.state.fl.us/>) or by writing to the above address. For additional information, please contact Katherine Fleming, Office of the General Counsel, at the above address or telephone (850)413-6218.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on November 14, 2006, South Florida Water Management District (District) received a revised petition for waiver from the City of Wilton Manors, Application No. 05-0513-5, for utilization of Works or Lands of the District known as the C-13 Canal, Broward County for proposed construction of a boat ramp, dock, pavilion, signage, asphalt parking, landscaping, lights fencing, curb and stormwater treatment facilities within the west right of way of C-13 adjacent to Powerline Road and NW 23rd Street, Section 28, Township 49 South, Range 42 East. The petition seeks relief from subsections 40E-6.011 (4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent

above-ground structures within 40 feet of the top of canal bank, parking/vehicular use and stormwater treatment facilities within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on November 7, 2006, South Florida Water Management District (District) received a petition for waiver from Miami-Dade County Public Works Department, Application No. 06-0724-3, Permit (MOD) 1962, for utilization of Works or Lands of the District known as the C-1W Canal, Miami-Dade County for the replacement of S. W. 160th bridge and installation of 2 outfall structures within C-1W, Section 27, Township 55 South, Range 39 East. The petition seeks relief from subsection 40E-6.011(4) and (6), and paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the minimum low member elevation of pile-supported facilities and the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on November 20, 2006, the South Florida Water Management District (SFWMD) received a petition for variance from Pebb Enterprises University Bank Building LTD. (Pebb) for a project known as Isla Verde at Wellington (Isla Verde), located in Palm Beach County. The petition seeks relief from subsection 40E-4.101(2), F.A.C.

A copy of the petition may be obtained from: Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, Mail Stop Code 1410, West Palm Beach, FL 33401, (561)682-6299 or 1(800)432-8045, ext. 6299, email: jsluth@sfwmd.gov. The SFWMD will accept written comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business by hand-delivery, facsimile, or U.S. Mail on the 14th day to the contact provided above.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it issued an Order Granting Variance Requests in response to a petition filed on 8/4/2006 and advertised in the F.A.W., Vol. 32, No. 35, by David Baskin of Otis Elevator regarding Kleman Plaza in Tallahassee (VW 2006-200). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/11/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Grand Residences in Panama City, FL (VW 2006-202). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/11/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Southern Resorts in Destin, FL (VW 2006-203). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/11/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Boeing Building in Fort Walton Beach, FL (VW 2006-204). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/11/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Avacos in Santa Rosa Beach, FL (VW 2006-205). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/11/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Harbor Lights in Destin, FL (VW 2006-206). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/11/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding One Water Place T-1, T-2, T-3 in Destin, FL (VW 2006-207). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it issued an Order Granting Variance Requests in response to a petition filed on 8/11/2006 and advertised in the F.A.W., Vol. 32, No. 35 by William O. Williams III of Otis Elevator regarding Palm Coast Resort in Palm Coast (VW 2006-208). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on October 30, 2006, it issued an Order Granting Variance Requests in response to a petition filed on 8/28/2006 and advertised in the F.A.W., Vol. 32, No. 39 by David Baskin of Otis Elevator regarding Mayo Clinic Jacksonville - Stabile Vertical Expans in Jacksonville (VW 2006-219). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/29/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding General Projection Systems in Lake Mary, FL (VW 2006-222). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/29/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding LaQuinta in Panama City Beach, FL (VW 2006-223). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/30/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Snug Harbor in Pensacola, FL (VW 2006-224). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/30/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Harborwalk Village in Destin, FL (VW 2006-225). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 10/30/06, it Issued an Order Granting Variance Request in response to a petition filed 8/30/2006 and advertised in the F.A.W., Vol. 32, No. 39, by Steve Powell of KONE, Inc. regarding Mid Bay Marina in Destin, FL (VW 2006-226). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on October 30, 2006, it issued an Order Granting Variance Requests in response to a petition filed on 8/21/2006 and advertised in the F.A.W., Vol. 32, No. 39, by William O. Williams III of Otis Elevator regarding Mayo Clinic Hospital Addition in Jacksonville (VW 2006-230). The petition sought waivers from Rules 2.1.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to not have a machine room and to use coated steel belts in lieu of steel cables suspending the car. The petitions were granted as it was demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on November 15, 2006, it Issued an Order Granting Variance Request in response to a petition filed September 29, 2006 and advertised in the F.A.W., Vol. 32, No. 42, by Lee Rigby of Vertical Assessment Associates. regarding Collier County Courthouse in Naples, FL (VW 2006-244). The variance granted a waiver from Rules 2.1.3.1, 2.1.3.4, 2.1.3.5 and 2.6.5, of ASME A18.1, 1999 Edition with 2001 Addenda, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have the sides and doors of the lift not be 42 inches high. The Petition was granted as it was determined the controlled atmosphere of the courtroom and training of courtroom personnel provided comparable safety to the riding public.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on October 31, 2006, it Issued an Order Granting Emergency Variance Request in response to a petition filed on October 11, 2006, (as advertised in the F.A.W., Vol. 32, No. 43) by Johnny Lamkin of Schindler Elevator. regarding Faith Lutheran Church in Eustis, FL (VW 2006-254), seeking a waiver from Rule 2.7.1 of ASME A18.1, 1999 Edition with 2001 Addenda, as adopted by Chapter 3001.2, 2004 Florida Building Code. The petitioner requested to have a vertical wheelchair lift with a travel height of 14 feet. The variance was granted as the petitioner demonstrated that the unit was designed and approved to travel that distance and the latest code edition allows for travel up to 14 ft. thus the additional travel will not present a danger to those riding the lift.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on November 15, 2006, it Issued an Order Granting Emergency Variance Request in response to a petition filed October 18, 2006 and advertised in the F.A.W., Vol. 32, No. 44, by William Snyder of Florida Certified Elevator Inspections, Inc. regarding Captain Kosmakos Seafood House in Treasure Island, FL (VW 2006-260). The variance granted a waiver from Rules 8.7.1.1 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to have the elevator meet the 1996 Edition of A17.1 as it was designed and installed prior to the new code being adopted but the company that installed it did not permit the alteration work as required by his contract with the building owner. It was determined that requiring the elevator meet the newer code would present a financial hardship as he has already spent over \$30, 000 on the elevator.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on 11/13/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: BCBE Homes Office Building, Naples (Petition VW 2006-295).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on 11/13/2006, the Bureau of Elevator Safety received a Petition for Variance from Rules 2.1.1.2, 2.1.1.3, 2.7.6, 2.20.1, and 2.20.9, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which require a machine room, steel ropes and non welded terminations, from leLainya Koutebera of Otis Elevator Company. The Petitioner is requesting a variance to allow the installation of Gen2™ elevator systems in the following location: Echelon Pointe Office Building, St. Petersburg (Petition 2006-296).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on 11/15/2006, the Bureau of Elevator Safety received a Petition for Variance from Rule 2.7.4.1, A.S.M.E. 17.1, 2000 edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, which requires 7 ft. of clearance in machine spaces from Robert Gerdt of Otis Elevator Company. The Petitioner is requesting a variance to allow a machine room with tie-beam reducing the clearance to 6 ft. 8 inches in the following location: Gulf Island Strand, Englewood (Petition 2006-299).

A copy of the Petitions can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator

Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on 11/16/2006, Bureau of Elevator Safety received a Petition for Variance from ASME A.17.1, Sections 2.1.3.1.2(b)(1), and ASME A17.2, Section 2.29.2, as adopted by Chapter 3001.2, 2004 Florida Building Code which prohibit the locating the elevator motor in the hoistway, require hands-on access to the governor and convenient, direct line-of-sight visual contact with the drive sheave. The petition was received from Steve Powell of KONE Inc., requesting a variance to allow the installation of MonoSpace® elevator systems in the following location: St. Petersburg College, St. Petersburg (Petition VW 2006-301).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on November 14, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code from Hospitality Solutions of Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on October 30, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code from King Wok of Jacksonville located in St. Augustine. The above referenced F.A.C. states each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated. The Petitioner is requesting to use the one existing bathroom facility and a neighboring establishment, but have seating of twenty (20).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and

Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on November 8, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-4.010(7)(b), Florida Administrative Code from Run Around Sue's located in Vero Beach. The above referenced F.A.C. states places serving food or drink on a take-out, carry-out or delivery basis only which provide no seating shall be required to provide a minimum of one bathroom accessible to the public. The Petitioner is requesting to use an adjacent establishment's bathroom facilities for customer use.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN that on March 23, 2006, the Department of Environmental Protection's Northwest District has issued an order.

Notice of receipt of this petition for variances and waivers was published on the Department's Website on January 6, 2006. On December 19, 2005, the Department received a petition from Black's Island Utility Company, Inc., requesting a variance under Section 120.542, Florida Statutes, of the following Florida Administrative Code requirements: paragraph 62-610.421(2)(c), F.A.C., which requires a setback distance of 10 feet for a Part II reuse subsurface application systems when high-level disinfection is provided; subsection 62-610.421(3), F.A.C., which requires 100-foot set back distance to Class II surface water for a Part II reuse project if Class 1 reliability and high level disinfection is provided; and subsection 62-610.462(3), F.A.C., which requires a part III reuse facility to be staffed by Class C or higher operator 6 hours per day, 7 days per week. Additionally the Petitioner requested a waiver under Section 120.542, Florida Statutes, of the following Florida Administrative Code requirements: subsection 62-610.451(1), F.A.C., which limits the minimum Part III reuse system size to 0.1 million gallon per day; and paragraph 62-610.412(2)(a), F.A.C., which requires establishing an approved ground water monitoring plan. The proposed project would consist of 26 single family homes with cottages, community center, restaurant, bar and public restrooms with a

.009 MGD wastewater treatment plant with Part II and Part III reuse projects that will be located at latitude 29°12'36" North and longitude 85°33'04" West, on a 6.73-acre island in St. Joseph Bay off the coast of Port St. Joe, in Gulf County. On March 23, 2006, the Department denied the petition for variances and waivers filed by Black's Island Utility Company in a final order, OGC File No.: 05-2861.

A copy of the Order may be obtained by contacting: Bill Evans, Department of Environmental Protection, 160 Governmental Center, Pensacola, FL 32502-5794, (850)595-8300, ext. 1168.

NOTICE IS HEREBY GIVEN that on November 16, 2006, the Department of Environmental Protection, received a petition for a variance or waiver, pursuant to Section 120.542, Florida Statutes, and Rule 28-104, F.A.C., from Thomas G. Tomasello, P.A., on behalf of John Smart, WL-868 AR-ATF. The property is located at 125 Seaward Dr., Santa Rosa Beach, in Walton County. The petition requests a variance or waiver of subparagraph 62B-33.0051(1)(a)1., F.A.C., which provides the conditions where construction of armoring shall be authorized. The petitioner is seeking a permanent variance or waiver from the above cited Rule.

A copy of the Petition for Variance or Waiver may be obtained by contacting Rosaline Beckham, at (850)488-7815, or by e-mail at rosaline.beckham@dep.state.fl.us. The petition is being processed and is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 5050 West Tennessee Street, Bldg. B, Suite 160, Tallahassee, Florida 32304. Any comments should be filed in writing with the Department at 3900 Commonwealth Blvd., M.S. 300, Tallahassee, Florida 32399-3000, and should be submitted within 30 days of the date of this publication.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on November 17, 2006, the Department of Health, received a petition for Richard H. Bachelder, representing Advanced Drainage Systems, Inc., requesting a variance pursuant to Section 120.542, Florida Statutes. Specifically, the petitioner seeks a variance from subsection 64E-6.009(7) and subparagraph 64E-6.009(7)(a)4., Florida Administrative Code, which requires alternative system components to undergo innovative system testing in Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 13, 2006, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Report Committee.

DATE AND TIME: December 14, 2006, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance and Budget Committee.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

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.

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 2 days before the workshop/meeting by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300 Fax (850)921-4131. 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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services** announces the meeting of the Florida Tropical Fruit Advisory Council.