

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER
SERVICES

Division of Plant Industry

RULE NO.: RULE TITLE:
5B-63.001 Citrus Health Response Program
NOTICE OF CHANGE

Notice is hereby given that the following changes have been
made to the proposed rule in accordance with subparagraph
120.54(3)(d)1., F.S., published in Vol. 32, No. 48, December 1,
2006 issue of the Florida Administrative Weekly.

5B-63.001 Citrus Health Response Program.

(8) All citrus grove owners or caretakers, harvesters,
haulers, packers, and processors must sign compliance
agreements;

(a) Citrus Grower/Caretaker Compliance Agreement,
DACS-08316, effective 2/07, effective 6/06, and incorporated
into this rule by reference. A copy of Grower/Caretaker
Compliance Agreement, DACS-08316, effective 2/07,
effective 6/06, may be obtained from the Citrus Health
Response Program, 3027 Lake Alfred Road, Winter Haven,
Florida 33881.

(b) Processor Compliance Agreement, DACS-08356,
effective 2/07, effective 7/06, and incorporated into this rule by
reference. A copy of Processor Compliance Agreement,
DACS-08356, effective 2/07, effective 7/06, may be obtained
from the Citrus Health Response Program, 3027 Lake Alfred
Road, Winter Haven, Florida 33881.

(c) Packinghouse Compliance Agreement, DACS-08358,
effective 2/07, effective 8/06, and incorporated into this rule by
reference. A copy of Packinghouse Compliance Agreement,
DACS-08358, effective 2/07, effective 8/06, may be obtained
from the Citrus Health Response Program, 3027 Lake Alfred
Road, Winter Haven, Florida 33881.

(d) Harvester/Handler Compliance Agreement,
DACS-08359, effective 2/07, effective 8/06, and incorporated
into this rule by reference. A copy of Harvester/Handler
Compliance Agreement, DACS-08359, effective 2/07,
effective 8/06, may be obtained from the Citrus Health
Response Program, 3027 Lake Alfred Road, Winter Haven,
Florida 33881. Fruit may not be harvested from a grove if a
valid compliance agreement is not in place.

(e) Schedule 10, Information Resources, effective 6/06,
and incorporated into this rule by reference. A copy of
Schedule 10, Information Resources, effective 6/06, may be
obtained from the Citrus Health Response Program, 3027 Lake
Alfred Road, Winter Haven, Florida 33881.

(f) Schedule 11, Approved Decontamination Products and
Methods, effective 1/07, and incorporated into this rule by
reference. A copy of Schedule 11, Approved Decontamination

Products and Methods, effective 1/07, may be obtained from
the Citrus Health Response Program, 3027 Lake Alfred Road,
Winter Haven, Florida 33881.

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 CORRECTIONS

RULE NO.: RULE TITLE:
33-601.731 Revocation or Suspension of Visiting
Privileges
NOTICE OF CHANGE

Notice is hereby given that the following changes have been
made to the proposed rule in accordance with subparagraph
120.54(3)(d)1., F.S., published in Vol. 33, No. 19, May 11,
2007 issue of the Florida Administrative Weekly.

33-601.731 Revocation or Suspension of Visiting
Privileges.

(1) through (2) No change.

(3) Suspension of an inmate's visiting privileges for up to
two-years shall be considered shall be considered by the ICT as
a management tool when inmate is found guilty of the
following disciplinary offenses:

(a) through (d) No change.

(4) through (10) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented 944.09,
944.23, 944.47, 944.8031 FS. History--New 11-18-01, Amended
5-27-02, 9-29-03,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

RULE NO.: RULE TITLE:
61-20.002 Inactive Status and Renewal of
Manager's License
NOTICE OF CHANGE

Notice is hereby given that the following changes have been
made to the proposed rule in accordance with subparagraph
120.54(3)(d)1., F.S., published in Vol. 33, No. 10, March 9,
2007 issue of the Florida Administrative Weekly.

The change is in response to concerns stated in a letter from the
Joint Administrative Procedures Committee dated April 17,
2007. The substantial rewrite of the proposed rule to read as
follows:

(Substantial rewording of Rule 61-20.002 follows. See Florida
Administrative Code for present text.)

61-20.002 Inactive Status and Renewal of Manager’s License.

(1) Changing an Active License to an Inactive License and Renewal of an Inactive License. A licensee desiring to maintain a valid license but who will not be providing community association management services for a period of time, may change the status of his/her license to inactive status, as provided in Department of Business and Professional Regulation Rule 61-6.003, F.A.C.

(a) In order to place an active license in an inactive status the licensee shall complete BPR form CAM-43.05, Community Association Change of Status Application, effective 10/23/2002, incorporated by reference, available on the DBPR Web site at <http://www.myflorida.com/dbpr/pro/forms/cam/index.shtml> or by written request addressed to the Council at 1940 N. Monroe Street, Tallahassee, Florida 32399. A non-refundable inactive license fee of \$10 shall accompany the application as set forth in Rule 61-20.504, F.A.C., unless the status change request is made at the end of a renewal period.

(b) All inactive licenses shall expire at the end of the renewal period (on September 30 of the next even numbered year). Inactive licensees shall be notified by the Department of Business and Professional Regulation pursuant to section 455.273, Florida Statutes and instructed how to proceed. Renewals shall be completed on or before September 30 of each renewal year. All applicable fees must be paid and compliance with the requirements set forth in Rule 61-20.208 must be met. The first Failure to renew on or before September 30 of a renewal year shall result in a delinquent status license pursuant to Department of Business and Professional Regulation Rule 61-6.002, F.A.C. Failure to renew a delinquent status license results in a null license pursuant to Department of Business and Professional Regulation subsection 61-6.004(1), F.A.C.

(2) Changing an Inactive License to an Active License. In order to reactivate from an inactive status, the licensee shall complete BPR form CAM-4305, Community Association Manager Change of Status Application, effective 10/23/2002, available on the DBPR Web site at <http://www.myflorida.com/dbpr/pro/forms/cam/index.shtml>, or by written request from the Council at 1940 N. Monroe Street, Tallahassee, FL. 32399. The reactivated license shall expire in accordance with the schedule set forth in Rule 61-6.001, F.A.C. and be renewed at the end of the current renewal period, along with all other licenses.

(3) Renewal of a Delinquent license whether Active or Inactive shall require submission of a Renewal application to the Council on or before September 30 to be processed for renewal. If September 30 falls on a Saturday, Sunday, or legal holiday, the time period is deemed extended to the next working day. Proper form shall mean the renewal application is complete, all applicable fees are paid and all applicable

continuing education hours have been completed prior to submission. If a renewal application is submitted after September 30 of the renewal year, the license becomes null. The holder of a null license desiring to perform community association management services shall be required to make an initial application to the division and proceed as provided in Rules 61-20.001 and 61-20.502, F.A.C.

Specific Authority 455.271, 468.433 FS. Law Implemented 455.271, 468.433, 468.435, 468.436 FS. History–New 5-5-88, Amended 3-22-89, 2-5-91, 12-28-92, Formerly 7D-55.006, Amended 11-23-93, 7-12-94, 10-9-94, 1-29-96, Formerly 61B-55.006, Amended _____.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-19.001
 RULE TITLE: Percentage of Gross Pilotage Assessed

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 20, May 18, 2007 issue of the Florida Administrative Weekly.

The correction is as follows:

The effective date of the rule was incorrectly stated as July 1, 2007. The language should read: THIS RULE SHALL TAKE EFFECT AUGUST 1, 2007.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-9.006
 RULE TITLE: Course Syllabus

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 16, April 20, 2007 issue of the Florida Administrative Weekly.

The language “IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED FOR THE BOARD’S NEXT MEETING, AND WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.” Need to be added in the notice under the “LAW IMPLEMENTED: 468.627 FS.”

The person to be contacted regarding the above change is Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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 ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-16.100	General
62-16.200	Definitions
62-16.300	Renewable Energy Technologies Grants Program
62-16.400	Renewable Energy Technologies Grants Program for Bioenergy
62-16.500	Solar Energy Systems Incentives Program
62-16.600	Renewable Energy Technologies Investment Tax Credit
62-16.700	Renewable Energy Technologies Sales Tax Program
62-16.900	Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 6, February 9, 2007 issue of the Florida Administrative Weekly.

RENEWABLE ENERGY TECHNOLOGIES AND ENERGY EFFICIENCY

62-16.100 General.

This part implements the Florida Renewable Energy Technologies and Energy Efficiency Act, providing for grants for renewable energy technologies and rebates for solar energy systems. This part also implements applications for sales tax incentives for renewable energy technologies provided for in Section 212.08, F.S., and applications for corporate tax credits for renewable energy technologies provided for in Section 220.192, F.S.

Specific Authority 377.804(3), 377.806(7), 212.08(7)(ccc)4.b., 220.192(3) FS. Law Implemented 377.801-377.806, 212.08, 220.192 FS. History–New _____.

62-16.200 Definitions.

The words, terms and phrases used in this Chapter, unless otherwise indicated, shall have the meaning set forth in Sections 377.803, F.S., and 220.192(1), F.S. In addition, when used in this chapter, the following words, phrases, or terms shall have the following meanings:

- (1) "Bioenergy" means energy derived from biomass.

- (2) "Biomass" means "biomass" as defined in Section 366.91(2)(a), F.S.

- (3) "Department" means the Florida Department of Environmental Protection.

- (4) "Matching Funds or Other In-Kind Contributions" means:

- (a) Actual cash outlays contributed, including, but not limited to, cash outlays for wages, rental expenses, travel expenses, unrecovered indirect costs, and purchases of material and supplies, as a direct benefit to the project, or;

- (b) Non-cash contributions necessary and reasonable for proper and efficient accomplishment of project objectives, the value of which must be established using the following guidelines:

1. Rates for donated or volunteer services of any person must be consistent with their regular rate of pay, or the rate of pay of those paid for similar work at a similar level of experience in the labor market, including the value of fringe benefits.

2. The value of donated expendable property such as office supplies or workshop supplies must not exceed the fair market value of the property.

3. The value of donated real property such as land must not exceed the fair market value of the property.

4. Donated space must be valued at fair rental value of comparable space and facilities in a privately-owned building in the same locale.

5. The value of loaned equipment can not exceed its fair rental value.

6. In-kind travel expense must be valued at the approved State rate as specified in Section 112.061, F.S.

- (5) "Purchase date" means, for the purchase of solar energy equipment, the date of execution of a loan agreement or the date of final cash payment.

- (6) "Solar thermal pool heater" means a device that traps the heat produced by incident sunlight in collector tubing through which swimming pool water is pumped in order to raise the temperature of the swimming pool water.

Specific Authority 377.804(3), 377.806(7), 212.08(7)(ccc)4.b., 220.192(3) FS. Law Implemented 377.801-377.806, 212.08, 220.192 FS. History–New _____.

62-16.300 Renewable Energy Technologies Grants Program.

(1) REQUEST FOR GRANT PROPOSALS.

- (a) The department shall issue a request for grant proposals ("RFGP"). The RFGP shall include a copy of the grant application form, instructions for submission of the grant application, and contact information for the department.

- (b) The RFGP shall be issued by publication on the Florida Department of Management Services State Vendor Bid System under MyFlorida MarketPlace, and on the department's website.

(2) QUALIFIED APPLICANTS. Qualified applicants are those applicants identified in Section 377.804(2), F.S., and State of Florida agencies.

(3) APPLICATIONS. Applications for the Renewable Energy Technologies Grants Program shall be submitted to the Department of Environmental Protection, ATTN: Renewable Energy Technologies Grant Program, Renewable Energy Projects, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400 as follows:

(a) Six copies of the application shall be submitted in hard copy format, using application Form 62-16.900(1), ~~FAC~~, which is ~~herein~~ adopted and incorporated by reference. One copy shall be submitted in electronic format on compact disc at the same time as the hard copy. Acceptable formats for electronic versions are Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format. Acceptable formats for electronic versions of the signed commitment letters required by Form 62-16.900(1), ~~FAC~~, from third parties are Adobe PDF; Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format.

(b) Applications must be received by the department no later than 5:00 p.m. on the date specified by the department in the RFGP.

(c) The application filing deadline shall be extended by the department when the department determines specifically for this grant program that extenuating circumstances exist, such as a hurricane or other natural disaster. Any deadline extension shall apply for all applicants. The department shall publish notice of the deadline extension on the Florida Department of Management Services State Vendor Bid System under MyFlorida MarketPlace, and on the department's web site.

(d) For grant requests, the minimum allowable amount for an application to be eligible for consideration for award shall be \$50 thousand, and the maximum allowable amount shall be \$2.5 million.

(e) COMPLETENESS. Any application which does not include all required information shall be determined incomplete and ineligible for the award of the grant sought. The department shall notify the applicant of the determination of ineligibility.

(f) An applicant is not eligible for award of a grant if at the time the department determines the recipients for the grant:

1. The department has a pending civil or administrative action against the applicant that alleges that the applicant has committed violations of Chapter 373, 376, or 403, Florida Statutes or the department rules implementing these statutes; or

2. The department has a final judgment or final order finding that the applicant has committed violations of Chapters 373, 376, or 403, Florida Statutes, unless the applicant has satisfied all requirements for corrective actions and has paid all costs, civil penalties, damages, and other financial assessments required by the judgment or order; or

3. The applicant has entered into a consent order with the department, unless the applicant has satisfied all requirements for corrective actions and has paid all costs, civil penalties, damages, and other financial assessments required by the consent order.

(4) CRITERIA

(a) The criteria listed in Section 377.804(4), F.S., shall apply to grants evaluated pursuant to Sections 377.804(1) through 377.804(5), F.S.

(b) In addition to the criteria in Section 377.804(4), F.S., grant applications shall be evaluated for the degree to which a project incorporates multiple renewable energy technologies.

(5) MATCHING FUNDS.

(a) For matching funds, the minimum allowable amount for an application to be eligible for consideration for award shall be \$1.00.

(b) All matching funds and other in-kind contributions, including third party in-kind, shall be verifiable from the applicant's and/or its partners' records, and not be included as contributions for any other state-assisted project or program.

(c) Expenses related to a proposed project incurred prior to the award announcement are not eligible as matching funds or in-kind contributions.

(d) State funds are not eligible as matching funds or in-kind contributions.

(6) RANKING.

(a) The department shall use a point system to score grants. In scoring grants, points shall be awarded as follows:

Criteria	Max Points Possible
Cost Share Percentage ¹	20
Economic Development ²	16
Technical Feasibility ³	16
Innovative Technology ⁴	16
Production Potential ⁵	16
Energy Efficiency ⁶	16
Fostering Awareness ⁷	16
Project Management ⁸	16
Duration & Timeline ⁹	6
Location Served ¹⁰	4
Public Integration ¹¹	4
Multiple Technologies ¹²	4
Total Numerical Rating	150

¹Cost Share Percentage: The availability of matching funds or other in-kind contributions applied to the total project from the applicant.

0 points = \$1.00 up to and including 1% of total project cost.

2 points = Greater than 1% up to and including 10% of total project cost.

4 points = Greater than 10% up to and including 20% of total project cost.

6 points = Greater than 20% up to and including 30% of total project cost.

8 points = Greater than 30% up to and including 40% of total project cost.

10 points = Greater than 40% up to and including 50% of total project cost.

12 points = Greater than 50% up to and including 60% of total project cost.

14 points = Greater than 60% up to and including 70% of total project cost.

16 points = Greater than 70% up to and including 80% of total project cost.

18 points = Greater than 80% up to and including 90% of total project cost.

20 points = Greater than 90% of total project cost.

²Economic Development: The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.

Minimum (0 points): Negative contribution or this element of the evaluation criteria was not addressed.

Maximum (16 points): Significant potential for economic development in Florida.

³Technical Feasibility: The extent to which the proposed project has been demonstrated to be technically feasible based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

Minimum (0 points): No proof of feasibility or this element of the evaluation criteria was not addressed.

Maximum (16 points): Project demonstrated to be technically feasible and claims are fully supported.

⁴Innovative Technology: The degree to which the project incorporates an innovative new technology or an innovative application of an existing technology.

Minimum (0 points): No degree of innovation or this element of the evaluation criteria was not addressed.

Maximum (16 points): Project incorporates technologies or processes that are not in common use in Florida, that represent a novel application of an existing technology or process, or that overcome obstacles to meeting Florida's energy needs in new or innovative ways.

⁵ Production Potential: The degree to which a project generates thermal, mechanical, or electrical energy by means of a renewable energy resource that has substantial long-term production potential.

Minimum (0 points): No production potential or this element of the evaluation criteria was not addressed.

Maximum (16 points): Significant potential for energy production in Florida.

⁶ Energy Efficiency: The degree to which a project demonstrates efficient use of energy and material resources.

Minimum (0 points): No consideration for energy efficiency or pollution prevention or this element of the evaluation criteria was not addressed.

Maximum (16 points): Project incorporates energy efficient products and practices including process improvements that lead to source reduction, waste minimization, and on-site recycling.

⁷Fostering Awareness: The degree to which the project fosters overall understanding and appreciation of renewable energy technologies.

Minimum (0 points): No contribution or this element of the evaluation criteria was not addressed.

Maximum (16 points): Significant potential for fostering awareness of renewable energy technologies throughout Florida.

⁸Project Management: The ability to administer a complete project.

Minimum (0 points): Project team mismatched for tasks identified. No prior management experience on project team. Budget is unrealistic.

Maximum (16 points): Project team has extensive management experience and expertise in the proposed field of study. Budget suited to tasks involved.

⁹Duration & Timelines: Project duration and timeline for expenditures.

Minimum (0 points): Project objectives will not be met and grant funds will not be exhausted within the 3 year grant agreement timeframe.

Maximum (6 points): No difficulty accomplishing project objectives and expending funds within grant agreement timeframe.

¹⁰Location Served: The geographic area in which the project is to be conducted in relation to other projects.

Minimum (0 points): Project duplicates existing efforts in the county or counties in which the project is proposed, minimizing its potential value to the community and state.

Maximum (4 points): Location of project benefits related efforts in the county or counties in which the project is proposed and surrounding areas, creating value for the community and state.

¹¹Public Integration: The degree of public visibility and interaction.

Minimum (0 points): No visibility and interaction with the general public or this element of the evaluation criteria was not addressed.

Maximum (4 points): Significant potential for public visibility and interaction.

¹²Multiple Technologies: The degree to which a project incorporates multiple renewable energy technologies in the project.

0 points = One renewable energy technology is used.

2 point = Two renewable energy technologies are used.

4 points = Three or more renewable energy technologies are used.

(b) The department shall establish a review group of no less than 3 people, who shall each individually review grant applications, and score each application according to the point system provided in paragraph (6)(a).

(c) Score points from all reviewers shall be ranked and averaged as follows:

1. Each reviewer shall rank each eligible application by assigning a ranking number to each eligible application based on the score of the individual application compared to all other applications reviewed by that reviewer. For example, the top scored application shall be assigned a ranking number of 1, the second highest scored application shall be assigned a ranking number of 2, the third highest scored application shall be assigned a ranking number of 3, and so on, until all eligible applications are ranked.

2. After all eligible applications are ranked by the individual reviewers, the ranking numbers from all reviewers for each individual application shall be averaged.

(7) AWARD. The department shall award grants based upon highest averaged ranking and availability of funding, with 1 being the highest ranking. Grants shall be awarded to the top ranked application first, to the second highest ranked application second, and so on until the total amount of the fiscal appropriation in each state fiscal year is met.

(a) The maximum amount for an individual award shall be limited to \$2.5 million.

(b) The minimum amount for an individual award shall be limited to \$50 thousand.

(c) The department shall award up to the total amount requested in individual grant applications to the top ranked grant applicants up to the maximum amount allowed under paragraph (7)(a). If funds are not available to award the total amount requested by an applicant due to awards of grants to higher ranked applications, the department may award partial grants to applicants up to the amount of the fiscal appropriation remaining in each state fiscal year.

(d) In the instance of a ranking tie between two or more applications, the application proposing the higher percentage of match shall be ranked higher. In the instance of a ranking tie between two or more applications, and those applications propose the same percentage of match, the individual scores of the reviewers shall be added, and the application with the

higher added reviewer scores shall be ranked higher. If there is still a tie, then the application submitted earlier in date shall be ranked higher.

(8) ADMINISTRATION.

(a) Grant funds must be awarded through a formal grant agreement negotiated and executed between the department and the grant applicant. Either party has the discretion to terminate negotiations if an agreement is not reached within 45 days of announcement of award. If the department and the grant applicant are unable to negotiate an agreement, the grant shall not be awarded to that grant applicant.

(b) Grant agreements shall be limited to no longer than three years in duration.

(c) Grant funds shall be distributed as reimbursements to recipients upon receipt of a formal invoice, supporting documentation, and upon department grant manager approval for compliance with all requirements of the grant agreement, this rule chapter, and the Florida Statutes.

(d) Invoices shall be submitted by grantees not more frequently than once per month, and not less frequently than once per quarter.

(e) Expenses incurred by a grantee and its project partners for its project after the execution of a formal grant agreement shall be considered as match based upon the requirements of Section 377.804, FS., and this Chapter.

(f) Expenses incurred by a grantee and its project partners for its project between the date of a notice of grant award and execution of formal grant agreement ~~may~~ shall be considered as match if the proposed match would meet all requirements of this Rule Chapter and Chapter 377, F.S., which would be otherwise applicable to an awarded grant, and if the proposed match would not violate any other provisions of the law. The department shall determine, on a case-by-case basis, whether such expenses qualify for match. Approval of such expenses as match are subject to negotiation of the grant agreement, and prior written approval by the department is required. Consideration as match is not guaranteed.

Specific Authority 377.804(3) FS. Law Implemented 377.801-377.804 FS. History–New_____.

62-16.400 Renewable Energy Technologies Grants Program for Bioenergy.

(1) REQUEST FOR GRANT PROPOSALS.

(a) The department shall issue a request for grant proposals (“RFGP”). The RFGP shall include a copy of the grant application form, instructions for submission of the grant application, and contact information for the department.

(b) The RFGP shall be issued by publication on the Florida Department of Management Services State Vendor Bid System under MyFlorida MarketPlace, and on the department’s website.

(2) **QUALIFIED APPLICANTS.** Qualified applicants are those applicants identified in Section 377.804(2), F.S., and State of Florida agencies.

(3) **APPLICATIONS.** Applications for the Renewable Energy Technologies Grants Program for Bioenergy shall be submitted to the Department of Environmental Protection, ATTN: Renewable Energy Technologies Grant Program, Bioenergy Projects, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400 as follows:

(a) Six copies of the application shall be submitted in hard copy format, using application Form 62-16.900(2), ~~FAC~~, which is ~~herein~~ adopted and incorporated by reference. One copy shall be submitted in electronic format on compact disc at the same time as the hard copy. Acceptable formats for electronic versions are Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format. Acceptable formats for electronic versions of the signed commitment letters from third parties required by Form 62-16.900(2), ~~FAC~~, are Adobe PDF; Microsoft Word for Windows versions 5.0 or higher; and Rich Text Format.

(b) Applications must be received by the department no later than 5:00 p.m. on the date specified in the RFGP.

(c) The application filing deadline shall be extended by the department when the department determines specifically for this grant program that extenuating circumstances exist, such as a hurricane or other natural disaster. Any deadline extension shall apply for all applicants. The department shall publish notice of the deadline extension on Florida Department of Management Services State Vendor Bid System under MyFlorida MarketPlace, and on the department's web site.

(d) For grant requests, the minimum allowable amount for an application to be eligible for consideration for award shall be \$50 thousand, and the maximum allowable amount shall be \$2.5 million.

(e) **COMPLETENESS.** Any application which does not include all required information shall be determined incomplete, and ineligible for the award of the grant sought. The department shall notify the applicant of the determination of ineligibility.

(f) An applicant is not eligible for award of a grant if at the time the department determines the recipients for the grant:

1. The department has a pending civil or administrative action against the applicant that alleges that the applicant has committed violations of Chapter 373, 376, or 403, Florida Statutes or the department rules implementing these statutes; or

2. The department has a final judgment or final order finding that the applicant has committed violations of Chapter 373, 376, or 403, Florida Statutes, unless the applicant has satisfied all requirements for corrective actions and has paid all costs, civil penalties, damages, and other financial assessments required by the judgment or order; or

3. The applicant has entered into a consent order with the department, unless the applicant has satisfied all requirements for corrective actions and has paid all costs, civil penalties, damages, and other financial assessments required by the consent order.

(4) **CRITERIA**

(a) The criteria listed in Section 377.804(6), F.S., shall apply to grants evaluated pursuant that Section.

(b) In addition to the criteria in Section 377.804(6), F.S., grant applications shall be evaluated for the degree to which a project has scientific merit based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

(5) **MATCHING FUNDS.**

(a) For matching funds, the minimum allowable amount for an application to be eligible for consideration for award shall be \$1.00.

(b) All matching funds and other in-kind contributions, including third party in-kind, shall be verifiable from the applicant's and/or its partners records, and not be included as contributions for any other state-assisted project or program.

(c) Expenses related to a proposed project incurred prior to the award announcement are not eligible as matching funds or in-kind contributions.

(d) State funds are not eligible as matching funds or in-kind contributions.

(6) **RANKING.**

(a) The department shall use a point system to score grants. In scoring grants, points shall be awarded as follows:

Criteria	Max Points Possible
Economic Development ¹	30
Florida-grown biomass ²	30
Energy Efficiency ³	20
Fostering Awareness ⁴	10
Cost Share Percentage ⁵	20
Duration & Timeline ⁶	10
Expand Agribusiness ⁷	20
Market Potential ⁸	10
Scientific Merit ⁹	20
Total Numerical Rating	170

¹Economic Development: The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.

Minimum (0 points): Negative contribution or this element of the evaluation criteria was not addressed.

Maximum (30 points): Significant potential for economic development in Florida.

²Florida Grown Biomass: The project produces bioenergy from Florida grown crops or biomass.

Minimum (0 points): No production potential or this element of the evaluation criteria was not addressed.

Maximum (30 points): Project results in significant bioenergy production from Florida grown biomass resources.

³Energy Efficiency: The degree to which a project demonstrates efficient use of energy and material resources.

Minimum (0 points): No consideration for energy efficiency or pollution prevention or this element of the evaluation criteria was not addressed.

Maximum (20 points): Project incorporates energy efficient products and practices including process improvements that lead to source reduction, waste minimization, and on-site recycling.

⁴Fostering Awareness: The degree to which the project fosters overall understanding and appreciation of bioenergy technologies.

Minimum (0 points): No contribution or this element of the evaluation criteria was not addressed.

Maximum (10 points): Significant potential for fostering awareness of bioenergy technologies throughout Florida.

⁵Cost Share Percentage: The availability of matching funds or other in-kind contributions applied to the total project from the applicant.

0 points = \$1.00 up to and including 1% of total project cost.

2 points = Greater than 1% up to and including 10% of total project cost.

4 points = Greater than 10% up to and including 20% of total project cost.

6 points = Greater than 20% up to and including 30% of total project cost.

8 points = Greater than 30% up to and including 40% of total project cost.

10 points = Greater than 40% up to and including 50% of total project cost.

12 points = Greater than 50% up to and including 60% of total project cost.

14 points = Greater than 60% up to and including 70% of total project cost.

16 points = Greater than 70% up to and including 80% of total project cost.

18 points = Greater than 80% up to and including 90% of total project cost.

20 points = Greater than 90% of total project cost.

⁶Duration & Timelines: Project duration and timeline for expenditures.

Minimum (0 points): Project objectives will not be met and grant funds will not be exhausted within the 3 year grant agreement timeframe.

Maximum (10 points): No difficulty accomplishing project objectives and expending funds within grant agreement timeframe.

⁷Expand Agribusiness: The project has a reasonable assurance of enhancing the value of agricultural products or will expand agribusiness in the state.

Minimum (0 points): No contribution or this element of the evaluation criteria was not addressed.

Maximum (20 points): Significant potential for enhancing the value of agricultural products and expanding agribusiness in Florida.

⁸Market Potential: Preliminary market and feasibility research has been conducted by the applicant or others and shows there is a reasonable assurance of a potential market.

Minimum (0 points): No research conducted or this element of the evaluation criteria was not addressed.

Maximum (10 points): Several recent market and feasibility research papers published in reputable trade journals clearly indicating significant market potential for Florida.

⁹Scientific Merit: The extent to which the proposed project has scientific merit based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

Minimum (0 points): No proof of scientific merit or this element of the evaluation criteria was not addressed.

Maximum (20 points): Project demonstrated to be technically feasible and claims are fully supported by scientific community.

(b) The department shall establish a review group of 4 people. Two members of the review group shall be appointed by the department. Two members of the review group shall be appointed by the Department of Agriculture and Consumer Services. Each reviewer shall individually review grant applications, and score each application according to the point system provided in paragraph (5)(a).

(c) Score points from all reviewers shall be ranked and averaged as follows:

1. Each reviewer shall rank each eligible application by assigning a ranking number to each eligible application based on the score of the individual application compared to all other applications reviewed by that reviewer. For example, the top scored application shall be assigned a ranking number of 1, the second highest scored application shall be assigned a ranking number of 2, the third highest scored application shall be assigned a ranking number of 3, and so on, until all eligible applications are ranked.

2. After all eligible applications are ranked by the individual reviewers, the ranking numbers from all reviewers for each individual application shall be averaged.

(7) AWARD. The department shall award grants based upon highest averaged ranking and availability of funding, with 1 being the highest ranking. Grants shall be awarded to the top ranked application first, to the second highest ranked application second, and so on until the total amount of the fiscal appropriation in each state fiscal year is met.

(a) The maximum amount for an individual award shall be limited to \$2.5 million.

(b) The minimum amount for an individual award shall be limited to \$50 thousand.

(c) The department shall award up to the total amount requested in individual grant applications to the top ranked grant applicants up to the maximum amount allowed under paragraph (6)(a). If funds are not available to award the total amount requested by an applicant due to awards of grants to higher ranked applications, the department may award partial grants to applicants up to the amount of the fiscal appropriation remaining in each state fiscal year.

(d) In the instance of a ranking tie between two or more applications, the application proposing the higher percentage of match shall be ranked higher. In the instance of a ranking tie between two or more applications, and those applications propose the same percentage of match, the individual scores of the reviewers shall be added, and the application with the higher added reviewer scores shall be ranked higher. If there is still a tie, then the application submitted earlier in date shall be ranked higher.

(8) ADMINISTRATION.

(a) Grant funds must be awarded through a formal grant agreement negotiated and executed between the department and the grant applicant. Either party has the discretion to terminate negotiations if an agreement is not reached within 45 days of announcement of award. If the department and the grant applicant are unable to negotiate an agreement, the grant shall not be awarded to that grant applicant.

(b) Grant agreements shall be limited to no longer than three years in duration.

(c) Grant funds shall be distributed as reimbursements to recipients upon receipt of a formal invoice, supporting documentation, and upon department grant manager approval for compliance with all requirements of the grant agreement, this rule chapter, and the Florida Statutes.

(d) Invoices shall be submitted by grantees not more frequently than once per month, and not less frequently than once per quarter.

(e) Expenses incurred by a grantee and its project partners for its project after the execution of a formal grant agreement shall be considered as match based upon the requirements of Section 377.804, F.S., and this Chapter.

(f) Expenses incurred by a grantee and its project partners for its project between the date of a notice of grant award and execution of formal grant agreement shall ~~may~~ be considered as match if the proposed match would meet all requirements of

this Rule Chapter and Chapter 377, F.S., which would be otherwise applicable to an awarded grant, and if the proposed match would not violate any other provisions of the law. The department shall determine, on a case-by-case basis, whether such expenses qualify for match. Approvals of such expenses as match are subject to negotiation of the grant agreement, and prior written approval by the department is required. Consideration as match is not guaranteed.

Specific Authority 377.804(3) FS. Law Implemented 377.801-377.804 FS. History—New_____.

62-16.500 Solar Energy Systems Incentives Program.

(1) APPLICATION. Applications for the Solar Energy Systems Incentives Program shall be submitted to the Department of Environmental Protection, ATTN: Solar Energy System Incentives Program, Florida Energy Office, 2600 Blair Stone Road, MS-21, Tallahassee, FL 32399-2400 as follows:

(a) Applications shall be submitted in hard copy format, using application Form 62-16.900(3), ~~FAC.~~, which is ~~herein~~ adopted and incorporated by reference. All applications must be submitted by certified mail or hand delivered to the department, and must be received by the department no later than 5:00 p.m. on the 90th day after the purchase date of the solar energy equipment. If the 90th day after the purchase date of the solar energy equipment falls on a weekend or an observed holiday for which Department offices have been closed, then the deadline shall be the next business day.

(b) Rebates are limited to one solar photovoltaic system, one solar thermal system, and one solar pool heater per resident. A separate application must be submitted for each rebate.

(c) All applications must include the information required on the application form, a photocopy of the original purchase agreement for the equipment and installation of the solar energy system, a copy of the final receipt of payment if different from the original purchase agreement, and a photograph of the installed system. All information provided to the department must be legible.

(d) The department shall review each timely filed application to determine if the application includes all required information.

1. An application that is determined to be complete upon initial filing shall be considered for eligibility and placement in the first-come, first-serve order for allocation of rebates based upon the date and time the application is filed.

2. If the department determines that the application does not contain all of the required information the department shall notify the applicant of the incompleteness of the application. Timely filed applications which do not include all required information shall not be considered as eligible for rebates and shall not receive a position in the first-come, first-serve order for allocation of rebates.

3. Applicants who are notified of the incompleteness of a timely filed application may file subsequent information in order to make the application complete. Timely filed applications that are initially determined incomplete, but are subsequently determined complete, shall be considered for eligibility for the rebate and placement in the first-come, first serve order for allocation of rebates based upon the date and time the application is determined complete.

(2) **ISSUANCE.** The department shall issue each rebate after the department determines that all required information has been provided for each application to make the application complete, provided funds are available to do so.

Specific Authority 377.806(7) FS. Law Implemented 377.801, 377.802, 377.803, 377.806 FS. History—New_____.

62-16.600 Renewable Energy Technologies Investment Tax Credit.

(1) **GENERAL** – This section applies to any taxpayer seeking a tax credit toward corporate income tax pursuant to Section 220.192, F.S., in the amount of the eligible costs as defined in Section 220.192(1)(b), F.S.

(a) This chapter does not apply to the tax return filing process regulated by the Florida Department of Revenue (DOR). An applicant seeking a tax credit pursuant to Section 220.192, F.S., shall apply to the department using the application process and Form 62-16.900(4), ~~F.A.C.~~, which is ~~herein~~ adopted and incorporated by reference. If deemed eligible for a tax credit, the department will issue a tax credit certificate to the applicant.

(b) The applicant may use these tax credits by attaching the certificate to its annual tax return filed with the DOR pursuant to rules promulgated by that agency.

(c) The department will not disburse any funds in connection with this tax credit program. Credits will not result in the payment of refunds by DOR if total credits exceed the amount of tax owed.

(d) Pursuant to Section 220.192, F.S., tax credits are limited to \$3 million per state fiscal year for all taxpayers in connection with an investment in hydrogen-powered vehicles and hydrogen vehicle fueling stations in the state; \$1.5 million per state fiscal year for all taxpayers in connection with an investment in commercial stationary hydrogen_fuel cells in the state; and \$6.5 million per state fiscal year for all taxpayers in connection with an investment in the production, storage, and distribution of biodiesel (B10-B100) and ethanol (E10-E100) in the state.

(e) The department shall be responsible for allocating the tax credits and tracking granted tax credits in a fiscal year to ensure that tax credits granted do not to exceed the limits provided in Section 212.192, F.S. If an eligible applicant does not receive a tax credit allocation due to an exhaustion of the annual tax credit appropriation, its application shall remain in

the first-come, first-served order in the next year's annual tax credit allocation, if any, based on the date and time of filing the original application.

(f) Tax credits pursuant to Section 220.192, F.S., are available only for eligible costs incurred during the state fiscal year for which the tax credit application is submitted.

(2) **APPLICATION.** Applications shall be submitted to the Department of Environmental Protection, ATTN: Renewable Energy Technologies Investment Tax Credit Program, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400 as follows:

(a) Applications shall be submitted in hard copy format, using application Form 62-16.900(4), ~~F.A.C.~~, which is ~~herein~~ adopted and incorporated by reference.

(b) All applications must be submitted by certified mail or hand delivered to the department, and must be received by the department no later than 5:00 p.m. on the 15th day following the end of the applicant's tax year. If the 15th day after the end of the applicant's tax year falls on a weekend or federal holiday, then the deadline shall be the next business day.

(c) All applications must include the information required on the application form, and must include all supporting documentation necessary. Supporting documentation shall include all invoices and proof of payment for expenses for which the applicant seeks the tax credit.

(d) Applications must include a completed and signed affidavit (included as part of the application form) from each applicant certifying that all information contained in the application, including all records of costs incurred and paid and claimed in the tax credit application, are true and correct.

(3) **ELIGIBILITY.** The department shall review each timely filed application for completeness and determine eligibility as follows:

(a) The department shall review each timely filed application within 15 days of receipt to determine if the application includes all required information. An application package will be deemed "complete" if Form 62-16.900(4), ~~F.A.C.~~, contains all required information and appropriate signatures and the package includes all necessary supporting documentation.

(b) If the department determines that the application does not contain all of the required information to make the application complete, the department shall notify the applicant in writing within 15 days of the receipt of the application of the deficiencies indicated by certified mail, unless the applicant requests, and is willing to pay for, alternative express mailing. Applications will not be returned to applicants.

(c) An applicant who is notified of a failure shall not be issued a credit until all required information is provided to the department.

(d) Credits shall be allocated on a first-come, first-served basis based upon the date and time complete applications are received by the department.

(e) Applications which do not include all required information shall not receive a position in the first-come, first-serve order for allocation of credits.

(f) The department will review the tax credit application package submitted by each applicant to verify that the applicant has met the qualifying statutory and rule criteria and has submitted all required documentation. Upon verification that the applicant has met all requirements, the department shall issue a determination of eligibility for applied for tax credits within 45 days of the receipt of complete information, subject to the fiscal limitations in Section 220.192, F.S., for the tax year in which the tax credit application is submitted.

Specific Authority 220.192(3) FS. Law Implemented 220.192 FS. History--New_____.

62-16.700 Renewable Energy Technologies Sales Tax Program

Applications for sales tax exemption pursuant to Section 212.08(7)(ccc), F.S., shall be filed with the department using Form 62-16.900(5), ~~F.A.C.~~, which is ~~herein~~ adopted and incorporated by reference, and shall be sent to Florida Department of Environmental Protection, ATTN: Renewable Energy Technologies Sales Tax Program, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400.

Specific Authority 212.08(7)(ccc)4.b. FS. Law Implemented 212.08 FS. History--New_____.

62-16.900 Forms.

The following forms are adopted and incorporated by reference in this Rule Chapter. The form is listed by rule number, which is also the form number, and by the subject title and effective date. Copies of the form may be obtained by writing to the Department of Environmental Protection, Florida Energy Office, 2600 Blair Stone Road, MS-19, Tallahassee, FL 32399-2400.

(1) Renewable Energy Technologies Grant Program Application, Form 62-16.900(1), ~~F.A.C.~~, (effective_____).

(2) Renewable Energy Technologies Grant Program Application for Bioenergy, Form 62-16.900(2), ~~F.A.C.~~, (effective_____).

(3) Solar Energy System Incentives Program Application, Form 62-16.900(3), ~~F.A.C.~~, (effective_____).

(4) Renewable Energy Technologies Investment Tax Credit Program Application, Form 62-16.900(4), ~~F.A.C.~~, (effective_____).

(5) Renewable Energy Technologies Sales Tax Program Application, Form 62-16.900(5), ~~F.A.C.~~, (effective_____).

Specific Authority 212.08(7)(ccc)4.b., 220.192(3), 377.804(3), 377.806(7) FS. Law Implemented 377.801-377.806, 212.08, 220.192 FS. History--New_____.

DEPARTMENT OF JUVENILE JUSTICE

Program Accountability

RULE NOS.:	RULE TITLES:
63L-1.001	Purpose and Scope
63L-1.002	Definitions
63L-1.003	Quality Assurance Standards
63L-1.004	Quality Assurance Peer Reviewers
63L-1.005	Conducting Quality Assurance Reviews
63L-1.006	Challenges and Mediation
63L-1.007	Waivers and Alternative Compliance Measures
63L-1.008	Deemed Status
63L-1.009	Conditional Status
63L-1.010	Failure to Meet Minimum Levels of Performance or Compliance
63L-1.011	Internal Review Board

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 8, February 23, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.:	RULE TITLE:
64B19-18.008	Board Approval of Specialty Certifying Bodies

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 13, March 30, 2007 issue of the Florida Administrative Weekly.

The correction is as follows:

The previous Notice of Correction which published in Vol. 33, No. 19, of the May 11, 2007, issue of the Florida Administrative Weekly, listed the publication date of the proposed rule as April 27, 2007, in Vol. 33, No. 17, of the Florida Administrative Weekly. This was incorrect. The proposed rule was published in Vol. 33, No. 13, of the March 30, 2007, issue of the Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

RULE NO.:	RULE TITLE:
69L-6.032	Contractor Requirements for Obtaining Evidence That Subcontractors Possess Workers' Compensation Insurance or Otherwise Comply with Chapter 440, Florida Statutes

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 14, April 6, 2007 issue of the Florida Administrative Weekly.

69L-6.032 Contractor Requirements for Obtaining Evidence that Subcontractors Possess Workers' Compensation Insurance or Otherwise Comply with Chapter 440, Florida Statutes.

(1) No change.

(2) If a workers' compensation insurance policy has been issued to the subcontractor, the contractor, as described in subsection (1) of this rule may obtain one of the following documents as evidence of workers' compensation insurance for a subcontractor.

(a) through (c) No change.

1. through 6. No change.

~~7. The issue date of the Certificate of Liability Insurance precedes the date the subcontractor commenced work on each project for which the contractor sublet any part of his or her contract work to the subcontractor; and~~

7. The date(s) the work is being performed by the subcontractor for the contractor falls within the Policy Effective and Policy Expiration dates listed on the Certificate of Liability Insurance.

(3) through (9) No change.

The remainder of the rules read as previously published.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
69O-170.0155 Forms

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 17, April 27, 2007 issue of the Florida Administrative Weekly.

Forms OIR-B1-1655 "Notice of Premium Discounts for Hurricane Loss Mitigation" and OIR-B1-1802 "Uniform Mitigation Verification Inspection Form" have been revised to reflect comments submitted at the public hearing. The revised forms are available from the contact person, Chris Bailey at chris.bailey@fldfs.com.

**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

NOTICE IS HEREBY GIVEN that on May 11, 2007, the Officer Professionalism Program, Florida Department of Law Enforcement, received a petition for waiver of Rule 11B-30.006, F.A.C., from Christopher C. Sloan. Petitioner seeks a waiver of the provision of the rule requiring recruits to complete training, pass the State Officer Certification Examination, and become employed within four years of beginning basic recruit training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye. Comments on this Petition may be filed by contacting Assistant General Counsel Grace A. Jaye at the above address, or by calling (850)410-7676.

NOTICE IS HEREBY GIVEN THAT on May 4, 2007, the Florida Department of Law Enforcement, received a petition for waiver of paragraph 11C-6.004(3)(b), F.A.C., pursuant to Section 120.542, F.S., from the National Foundation to Prevent Child Sexual Abuse, Inc., Palm Beach County. Petitioner wishes to waive fees associated with volunteer subject inquiries under the National Child Protection Act of 1993, as amended.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Assistant General Counsel Grace A. Jaye, Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, or by calling (850)410-7676. Comments on this Petition should be filed with the Office of General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel Grace A. Jaye.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that on May 21, 2007, the Department of Transportation has issued an order.

The Order Denying Petition for Variance or Waiver denied the Petition of Montgomery Ventures, Inc., seeking a variance or waiver from the provisions of paragraph 14-10.007(6)(b), F.A.C. The Petition was received by the Department on