

(b) Mails the affirmative written election and written acknowledgment, together with the long form disclosures required Rule 69U-100.105, F.A.C., to the customer within 3 business days after the telephone solicitation, and maintains sufficient documentation to show it made reasonable efforts to obtain the documents from the customer; and

(c) Permits the customer to cancel the purchase of the debt cancellation product without penalty within 30 days after the financial institution has mailed the long form disclosures to the customer.

(3) If the contract is solicited through written mail inserts or "take one" applications and the financial institution provides only the short form disclosures in the written materials, then the financial institution shall mail acknowledgment of the receipt of disclosures, together with the long form disclosures required by Rule 69U-100.105, F.A.C., to the customer within 3 business days, beginning on the first business day after customer contacts the financial institution or otherwise responds to the solicitation. The financial institution may not obligate the customer to pay for the debt cancellation product until after the financial institution has received the customer's written acknowledgment of receipt of disclosures unless the financial institution:

(a) Maintains sufficient documentation to show that the financial institution provided the acknowledgment of receipt of disclosures to the customer as required by this rule;

(b) Maintains sufficient documentation to show that the financial institution made reasonable efforts to obtain from the customer a written acknowledgment of receipt of the long form disclosures; and

(c) Permits the customer to cancel the purchase of the debt cancellation product without penalty within 30 days after the financial institution has mailed the long form disclosures to the customer.

(4) The affirmative election and acknowledgment may be made electronically in a manner consistent with the requirements of the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. §§ 7001 et seq., which is incorporated by reference in Rule 69U-100.105, F.A.C., and Ch. 668, F.S.

Specific Authority 655.012(2), 655.947(3) FS. Law Implemented 655.947, 655.954 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bruce Kuhse, Chief Counsel, Division of Financial Institutions, Office of Financial Regulation, The Fletcher Building, 200 East Gaines Street, Tallahassee, Florida 32399, (850)410-9896, Bruce.Kuhse@flofr.com
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 20, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.094221
RULE TITLE: Alternative Standardized Reading Assessment and Use of Student Portfolio for Good Cause Promotion

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. 34, No. 29, July 18, 2008 issue of the Florida Administrative Weekly.

Subsection (2) is amended to read:

(2)(b) To promote a student using the SAT-9 or SAT-10 as an alternative assessment good cause exemption, the grade three student scoring at Level 1 on FCAT Reading must score at or above the 51st percentile on the SAT-9 or at or above the 45th percentile on the Reading SAT-10. The SAT-9 or SAT-10 may only be administered two (2) times if there are at least thirty (30) days between administrations and different test forms are administered one (1) time.

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.: 33-601.733
RULE TITLE: Visiting – Special Status Inmates

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. 34, No. 27, July 3, 2008 issue of the Florida Administrative Weekly.

33-601.733 Visiting – Special Status Inmates.

(1) through (3) No change.

(4) An inmate housed in a mental health unit shall ~~not~~ be permitted visits except as ~~prohibited~~ authorized by the warden and chief health officer on a case-by-case basis.

(5) through (6) No change.

Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23, 944.8031 FS. History—New 11-18-01, Amended 5-27-02,_____.

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: |
| 62-210.300 | Permits Required |
| 62-210.310 | Air General Permits |

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. 34, No. 25, June 20, 2008 issue of the Florida Administrative Weekly. These changes are being made in response to written comments received from the Joint Administrative Procedures Committee.

62-210.300 Permits Required.

Unless exempted from permitting pursuant to this rule or Rule 62-4.040, F.A.C., the owner or operator of any facility or emissions unit which emits or can reasonably be expected to emit any air pollutant shall obtain appropriate authorization from the Department prior to undertaking any activity at the facility or emissions unit for which such authorization is required. The Department grants authorization to conduct such activities by individual air permit or by air general permit. Activities requiring authorization by individual air construction permit are addressed at subsection 62-210.300(1), F.A.C., and activities requiring authorization by individual air operation permit are addressed at subsection 62-210.300(2), F.A.C. Authorization by air general permit is addressed at subsection 62-210.300(4), F.A.C. All emission limitations, controls, and other requirements imposed by any individual air permit shall be at least as stringent as any applicable limitations and requirements contained in or enforceable under the State Implementation Plan (SIP) or that are otherwise federally enforceable. Except as provided at Rule 62-213.460, F.A.C., being authorized to construct, operate, or undertake any other activity by individual air permit or air general permit does not relieve the owner or operator of a facility or emissions unit from complying with any applicable requirements, any emission limiting standards or other requirements of the air pollution rules of the Department or any other such requirements under federal, state, or local law.

- (1) through (2) No change.
- (3) No change.

(a) Categorical and Conditional Exemptions. Except as otherwise provided at subsection 62-210.300(3), F.A.C., above, the following facilities, emissions units, and

pollutant-emitting activities shall be exempt from any requirement to obtain an air construction permit or non-Title V air operation permit, or to use an air general permit pursuant to Rule 62-210.310, F.A.C. The exemptions listed at subparagraphs 62-210.300(3)(a)23. through 37., F.A.C., are valid only if the owner or operator ensures that the conditions of exemption are met.

- 1. through 36. No change.
- 37. Printing operations, provided:
 - a. through b. No change.
 - c. The facility shall:

(I) Operate only heatset offset lithographic printing lines and use less than 20,000 pounds of ~~any single or any combination of VOC containing materials, combined, of such as~~ inks, cleaning solvents, fountain solutions concentrate and fountain solution additives in any consecutive twelve (12) months;

(II) Operate only non-heatset offset lithographic printing lines and use less than 2,850 gallons of ~~any single or any combination of VOC containing materials, combined, of such as~~ inks, cleaning solvents, fountain solutions concentrate and fountain solution additives in any consecutive twelve (12) months;

(III) Operate only digital printing lines and use less than 2,425 gallons of ~~any single or any combination of VOC containing materials, combined, of solvent-based such as~~ inks, ~~and~~ clean-up solutions, and other solvent-containing materials in any consecutive twelve (12) months;

(IV) Operate only screen or letterpress printing lines and use less than 2,850 gallons of ~~any single or any combination of VOC containing materials, combined, of solvent-based such as~~ inks, ~~and~~ clean-up solutions, and other solvent-containing materials in any consecutive twelve (12) months;

(V) Operate only water-based or ultraviolet-cured-material flexographic or rotogravure printing lines and use less than 80,000 pounds of ~~any single or any combination of VOC containing materials, combined, of such as~~ water-based inks, coatings, and adhesives in any consecutive twelve (12) months; or

(VI) Operate only solvent-based material flexographic or rotogravure printing lines and use less than 20,000 pounds of ~~any single or any combination of VOC containing materials, combined, of such as~~ inks, dilution solvents, coatings, cleaning solutions, and adhesives in any consecutive twelve (12) months.

- (b) through (c) No change.
- (4) through (7) No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.814 FS. History—Formerly 17-2.210, Amended 11-28-93, Formerly 17-210.300, Amended 11-23-94, 4-2-95, 4-18-95, 10-16-95, 1-2-96, 3-13-96, 3-21-96, 5-13-96, 8-15-96, 10-7-96, 5-20-97, 11-13-97, 2-5-98, 2-11-99, 4-16-01, 6-21-01, 7-6-05, 2-2-06, 1-10-07, 5-9-07, 3-16-08,_____.

62-210.310 Air General Permits.

(1) through (3) No change.

(a) through (e) No change.

(f) Air General Permit for Facilities Comprising Printing Operations.

1. through 2. No change.

a. No change.

b. The facility shall use less than 1,333 gallons of materials containing any hazardous air pollutants and not exceed the following material usage limitations in any consecutive twelve (12) months. The owner or operator shall keep records of material usage for each calendar month and each consecutive twelve (12) months to demonstrate compliance with such limitations. The owner or operator shall retain these records, available for Department inspection, for a period of at least five (5) years. Specifically, the facility shall:

(I) Operate only heatset offset lithographic printing lines and use less than 100,000 pounds, combined, of ~~any single or any combination of VOC-containing materials such as inks, cleaning solvents, fountain solution concentrate and fountain solution additives;~~

(II) Operate only non-heatset offset lithographic printing lines and use less than 14,250 gallons, combined, of ~~any single or any combination of VOC-containing materials such as cleaning solvents, fountain solutions concentrate and fountain solution additives;~~

(III) Operate only digital printing lines and use less than 12,100 gallons, combined, of ~~any single or any combination of VOC-containing materials such as solvent based inks, and clean-up solutions and other solvent-containing materials;~~

(IV) Operate only screen or letterpress printing lines and use less than 14,250 gallons, combined, of ~~solvent based any single or any combination of VOC-containing materials, solvent-based such as inks, and clean-up solutions and other solvent-containing materials;~~

(V) Operate only water-based or ultraviolet-cured material flexographic or rotogravure printing lines and use less than 400,000 pounds, combined, of ~~any single or any combination of VOC-containing materials such as water-based inks, coatings and adhesives;~~

(VI) Operate only solvent-based material flexographic or rotogravure printing lines and use less than 100,000 pounds, combined, of ~~any single or any combination of VOC-containing materials such as inks, dilution solvents, coatings, cleaning solutions and adhesives; or~~

(VII) Operate any combination of heatset lithographic, non-heatset lithographic, digital, screen or letterpress, rotogravure or flexographic printing lines and use no more than the most stringent of the material usage limitations contained in sub-sub-subparagraphs 62-210.310(4)(f)2.b.(I) through (VI), F.A.C., for the type of printing lines at the facility. For purposes of determining which limit is the most stringent, the pounds of materials used for heatset offset lithographic lines and flexographic lines shall be converted to the equivalent

gallons by dividing by 8.5 pounds per gallon and shall be compared with the limits for non-heatset offset lithographic, digital, screen and letterpress lines, as applicable, for the type of printing lines at the facility. The most stringent limit shall apply to the total of all solvent ~~VOC~~-containing material used.

c. No change.

Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087, 403.814 FS. History—New 1-10-07, Amended 5-9-07, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-213.900 Forms and Instructions

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. 34, No. 25, June 20, 2008 issue of the Florida Administrative Weekly. These changes are being made in response to written comments received from the Joint Administrative Procedures Committee. The changes to Rule 62-213.900, F.A.C., are within the form being adopted by reference at subsection 62-213.900(1), F.A.C. The changes fix an error in the division title, clarify that the form implements the fee requirements of Section 403.0872(11) of the Florida Statutes, and eliminates verbatim statutory language from that section. A copy of the form as changed may be obtained at the Department of Environmental Protection’s website at <http://www.dep.state.fl.us/air/rules/regulatory.htm>.

62-213.900 Forms and Instructions.

The forms used by the Department in the Title V source operation program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(1) Major Air Pollution Source Annual Emissions Fee Form (DEP Form No. 62-213.900(1), Effective _____).

(2) through (9) No change.

Specific Authority 403.061 FS. Law Implemented 403.0872, 403.814 FS. History—New 12-21-92, Amended 11-25-93, Formerly 17-213.900, Amended 11-23-94, 1-1-96, 3-13-96, 6-25-96, 2-11-99, 2-24-99, 1-3-01, 6-2-02, 4-14-03, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-257.900 Form

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. 34, No. 25, June 20,

2008 issue of the Florida Administrative Weekly. These changes are being made in response to written comments received from the Joint Administrative Procedures Committee. The changes to Rule 62-257.900, F.A.C., are within the form being adopted by reference at subsection 62-257.900(1), F.A.C. The changes eliminate the language on the form and clarifies instructions concerning prior approval for dry method removal. A copy of the form as changed may be obtained at the Department of Environmental Protection's website at <http://www.dep.state.fl.us/air/rules/regulatory.htm>.

62-257.900 Form.

The form with instructions used by the Department in the asbestos air regulatory program is adopted and incorporated herein by reference. Copies of the form and instructions may be obtained by writing to the State Asbestos Coordinator, Division of Air Resource Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The form is also available on the internet at www.dep.state.fl.us/air or at the Department's District Offices or at Local Air Program offices.

(1) "Notice of Demolition or Asbestos Renovation", DEP Form Number 62-257.900(1), effective _____.

Specific Authority 376.60, 403.061 FS. Law Implemented 376.60, 403.061 FS. History--New 3-31-94, Formerly 17-257.900, Amended 11-23-94, 2-9-99, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-304.300 St. Marks Basin TMDLs

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 32, August 8, 2008 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-304.305 Ochlockonee Basin TMDLs

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 32, August 8, 2008 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-304.810 Everglades West Coast Basin TMDLs

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 32, August 8, 2008 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

| | |
|------------|-----------------------------|
| RULE NOS: | RULE TITLES: |
| 62-305.100 | Scope of the Rule |
| 62-305.200 | Definitions |
| 62-305.300 | General Program Information |
| 62-305.400 | Project Selection Criteria |
| 62-305.900 | Forms |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 32, August 8, 2008 issue of the Florida Administrative Weekly.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 29, 2008

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-16.002 Preceptor

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the Notice of Change in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 33, of the August 15, 2008, issue of the Florida Administrative Weekly. The correction will change the first paragraph, second sentence to read correctly as "The change is in response to concerns by the Joint Administrative Procedures Committee in a letter dated April 15, 2008 and modifications made on June 27, 2008 by the Board of Nursing Home Administrators".

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr, Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:
64E-2.0321 Certificate of Public Convenience and Necessity

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 24, June 13, 2008 issue of the Florida Administrative Weekly has been withdrawn.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:
67-48.004 Application and Selection
 Procedures for Developments

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 28, July 11, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**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 MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: RULE TITLE:
60BBER08-1 Emergency Unemployment
 Compensation

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The rate of unemployment in the State of Florida has risen dramatically since January 2007. Between January and May 2007, 245,653 individuals filed claims for unemployment benefits. During the same period in 2008, 346,202 individuals filed claims, representing an increase of 41%. Under Florida law, a claimant may receive up to 26 weeks of unemployment compensation within a one year period. Unfortunately, as many as 488,650 recipients of unemployment compensation have exhausted their regular benefits and may be eligible for additional benefits under recently enacted federal legislation. These figures are representative of the situation faced by other states nationwide. To address this situation and for other purposes, Congress passed a Supplemental Appropriations Act (Public Law 110-252). Title IV of the Act creates the Emergency Unemployment Compensation program, which authorizes states that enter into agreements with the United States Department of Labor to pay up to an additional 13 weeks of benefits to recipients of unemployment compensation who have exhausted all rights to regular compensation under state law. Florida has entered into such an agreement with the United States Department of Labor. In order to determine which individuals are eligible for benefits and provide compensation to them as quickly as possible, it is necessary that the use of the application forms incorporated by reference into this emergency rule be implemented immediately, without

the delay attendant with regular rulemaking procedures. The Agency will immediately begin the regular rulemaking process for incorporating these forms and procedures into its current claims rules, found in Chapter 60BB-3, Florida Administrative Code.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The forms incorporated by reference provide the most efficient means of providing unemployment benefits to those individuals that are entitled to them. In adopting these forms, the Agency has acted to ensure that all procedural remedies available to recipients of regular state unemployment compensation will be available to Emergency Unemployment Compensation program applicants under state law and under the terms of the governing agreement with the United States Department of Labor. The Agency modeled the proposed rule after existing rules, after giving due consideration to public comment received during the latest amendment to Chapter 60BB-3, Florida Administrative Code, regarding the best means of making the application process accessible to persons with Limited English Proficiency.

SUMMARY: This rule prescribes and incorporates by reference the forms to be used to apply for emergency unemployment compensation.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: John R. Perry, Assistant General Counsel, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128, (850)245-7150

THE FULL TEXT OF THE EMERGENCY RULE IS:

60BBER08-1 Emergency Unemployment Compensation.

(1) Individuals wishing to receive Extended Unemployment Compensation benefits must submit an application for benefits to the Agency for Workforce Innovation. An application may be submitted:

(a) Online, or

(b) In writing on one of the forms listed in subparagraphs (6)(a), (b), or (c) below.

(2) To apply online an individual must visit the website: http://www.floridajobs.org/unemployment/uc_emp_claims.html, click on the Emergency Unemployment Compensation (EUC) link, and follow the instructions provided in the Online Internet Unemployment Compensation Claim Application (Rev. 07/08) or Online Internet Unemployment Compensation Claim Application (Spanish Version) (Rev. 07/08).

(3) To submit a written application, the claimant must complete one of the forms listed in paragraph (6)(a),(b), or (c) below and either:

(a) Mail the completed form to the Agency for Workforce Innovation, Unemployment Compensation Records Unit, P. O. Drawer 5350, Tallahassee, Florida 32314-5350; or