

business is limited solely to the physical transportation of currency (or other valuables) via armored cars, and the entity maintains cargo insurance meeting certain requirements.

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 EDUCATION

NOTICE IS HEREBY GIVEN THAT on August 13, 2009, the Florida Department of Education has issued an order.

An Order Denying Emergency Petition for Temporary Waiver of Rule 6A-6.03315, F.A.C., was issued in the case of St. Elizabeth of Hungary Catholic School vs. Florida Department of Education, Agency Case No. DOE-2009-1857, finding that the Petitioner does not identify specific facts constituting an emergency situation, and does not identify specific facts to show that Petitioner will suffer an immediate adverse effect unless the waiver is issued more expeditiously than the time frames provided in Section 120.542, F.S.

A copy of the Order may be obtained by contacting: Lynn Abbott, Agency Clerk, Department of Education at lynn.abbott@fldoe.org or (850)245-966.

NOTICE IS HEREBY GIVEN THAT on August 13, 2009, the Department of Education has issued an order.

The Department of Education has issued an Order Denying Petition for Waiver of Rule 6A-6.03315, F.A.C., in the case of St. Elizabeth of Hungary Catholic School vs. Florida Department of Education, DOE Agency Case No.: DOE-2009-1857. The petition was dismissed based on the finding that the Petitioner did not file a satisfactory/violation-free fire inspection report with the Department within the timeframe identified in the Petition; the purpose of the

underlying statute cannot be achieved through the means requested; there is no substantial hardship; alternatively if there is a substantial hardship, it was created by the Petitioner not by Rule 6A-6.03315, F.A.C., and the principles of fairness are not violated by application of Rule 6A-6.03315, F.A.C.

For a copy of the order please contact: Lynn Abbott, Agency Clerk, Department of Education at lynn.abbott@fldoe.org or (850)245-9661.

A copy of the Order may be obtained by contacting: Lynn Abbott, Agency Clerk, Department of Education at lynn.abbott@fldoe.org or (850)245-9661.

NOTICE IS HEREBY GIVEN THAT on August 13, 2009, the Department of Education has issued an order.

An Order Denying Emergency Petition for Temporary Waiver of Rule 6A-6.03315, F.A.C., was issued in the case of Epiphany Catholic School vs. Florida Department of Education, Agency Case No. DOE-2009-1860, finding that the Petitioner does not identify specific facts constituting an emergency situation, and does not identify specific facts to show that Petitioner will suffer an immediate adverse effect unless the waiver is issued more expeditiously than the time frames provided in Section 120.542, F.S.

A copy of the order may be obtained by contacting: Lynn Abbott, Agency Clerk, Department of Education at lynn.abbott@fldoe.org or (850)245-9661.

NOTICE IS HEREBY GIVEN THAT on August 13, 2009, the Department of Education has issued an order.

The Department of Education has issued an Order Denying Petition for Waiver of Rule 6A-6.03315, F.A.C., in the case of Epiphany Catholic School vs. Florida Department of Education, DOE Agency Case No.: DOE-2009-1860. The petition was dismissed based on the finding that the purpose of the governing statute cannot be achieved through the means requested (relating to the deadline for the submission of required affidavit and form), there is no substantial hardship; alternatively if there is a substantial hardship, it was created by the Petitioner not by Rule 6A-6.03315, F.A.C., and the principles of fairness are not violated by application of Rule 6A-6.03315, F.A.C.

A copy of the Order may be obtained by contacting: Lynn Abbott, Agency Clerk, Department of Education at lynn.abbott@fldoe.org or (850)245-9661.

NOTICE IS HEREBY GIVEN THAT on August 21, 2009, the Florida Department of Education, received a petition for an Emergency Petition for Variance or Waiver of subparagraph 6A-1.039(3)(a)2. and subsection (4), F.A.C. filed RE: Applications by Sylvan Learning Centers of Collier and Lee Counties, Sylvan Learning Centers of Charlotte and Sarasota Counties, Ace It! Powered by Sylvan of Collier and Lee

Counties, and Ace It! Powered by Sylvan of Charlotte and Sarasota Counties for Authorization to Serve as SES Providers. Agency Case No.: DOE-2009-1872.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lynn Abbott, Agency Clerk, Department of Education at lynn.abbott@fldoe.org or (850)245-9661.

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN THAT on August 17, 2009, the Department of Transportation, received a petition for variance from the City of Cape Canaveral requesting a clear recovery zone distance of less than 24 feet for three bus shelters and eight bus benches proposed for installation at all Space Coast Transit Authority (SCAT) bus stops along State Road A1A. Rule Nos.: 14-20.003 Placement of Shelters; 14-20.0032 Placement of Benches, F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458.

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."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on August 14, 2009, the South Florida Water Management District (District), received a petition for waiver from David Fox, Application No. 09-0723-1, regarding a modification to Right of Way Permit Number 11385 for utilization of Works or Lands of the District known as the C-16 Canal to allow a portion of a fence enclosure, asphalt drive, shed, tile patio walkway, trees, hedges, utility service (water) and dock addition within the District's southerly right of way at the rear of 1201 N. W. 13th Avenue to remain. C-16, Palm Beach County, Section 20, Township 45S, Range 43E. The petition seeks relief from subsections 40E-6.011(4) and (6), F.A.C., which governs the placement of permanent and /or semi-permanent above-ground structures within 40 feet of the top of the canal bank within Works and Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@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: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

DEPARTMENT OF THE LOTTERY

NOTICE IS HEREBY GIVEN THAT on August 9, 2009, the Department of the Lottery, received a petition for from Louis Tolentino, Jr., seeking a waiver of Rule 53ER08-89, Payment of Prizes, F.A.C., with respect to payment of prizes in the absence of a ticket.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of the General Counsel, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT on August 17, 2009, the Agency for Workforce Innovation, received a petition for variance from subsection 60BB-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by the Early Learning Coalition of Manatee County, Inc., 3526 9th Street West, Suite 200, Bradenton, FL 34205.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC #140, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN THAT on August 17, 2009, the Agency for Workforce Innovation, received a petition for Temporary Waiver of paragraph 60BB-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by the Early Learning Coalition of Manatee County, 3526 9th Street, West, Suite 200, Bradenton, FL 34205.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 East Madison Street, MSC #140, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on August 17, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rules 3.10.4(u) and 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires the stop switch to be behind a locked cover, be keyed or wired to the alarm bell and Fire Fighter Service Phase

1 and 2 from William F. Hardaway on behalf of Point Britney (Rutland House) in St. Petersburg License Number 8711 & 8712 (VW 2009-426).

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

NOTICE IS HEREBY GIVEN THAT on August 19, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance for 12 months from unspecified rules prohibiting rusted out doors from George Gary Brown on behalf of Sun Viking Lodge, License numbers 40019 and 41692 (VW 2009-427), Rule 61C-5.001 Standards Adopted; Exclusions; and Conflicts, F.A.C.

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

NOTICE IS HEREBY GIVEN THAT on August 19, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Paul Komie on behalf of Raymond Office Building in West Palm Beach License Number 33139 & 33140 (VW 2009-430).

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

NOTICE IS HEREBY GIVEN THAT on August 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.10.4, 3.11.3, and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2, stop switch behind a locked cover, keyed or wired to the alarm bell and restriction of doors from Tim Cleckner on behalf of Surfside North Condominiums in Ormond Beach, FL License No. 9845 & 9846 (VW 2009-432).

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

NOTICE IS HEREBY GIVEN THAT on August 19, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Paul Komie on behalf of The

Lands of the President Condominium Eight-A Association, Inc., in West Palm Beach, License Number 22220, 22201 & 22078 (VW 2009-428).

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

NOTICE IS HEREBY GIVEN THAT on August 19, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a permanent variance from Rule 8.6.4.8.2, ASME A17.1, 2005 which prohibits material and equipment not related to the elevator operation from being located within the elevator machine room. The request was submitted by Paul Komie on behalf of the Bridge Hotel in Boca Raton License Numbers 24111-24113 (VW 2009-429), Rule 61C-5.001, Standards Adopted; Exclusions; and Conflicts, F.A.C.

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

NOTICE IS HEREBY GIVEN THAT on August 20, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Robert Morin on behalf of Morse Geriatric in West Palm Beach, License Number 33060 and 33061 (VW 2009-431).

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

NOTICE IS HEREBY GIVEN THAT on August 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unspecified rules as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., from Peter Marra on behalf of Imperial Cove Condominium IX Association, Inc License Number 21231 & 21230 (VW 2009-433).

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

NOTICE IS HEREBY GIVEN THAT on June 19, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Audry Krois on behalf of Emerald House Inc. in Lantana License Number 5515 (VW 2009-434).

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

NOTICE IS HEREBY GIVEN THAT on August 24, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for A Routine Variance for subsections 61C-4.010(6), (7), F.A.C., from Twisted Bliss located in Orlando. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to utilize bathrooms located within another licensed food service establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on August 26, 2009, the Electrical Contracting Licensing Board, received a petition for waiver or variance of subsection 61G6-5.004(2), F.A.C., from Timothy P. Atkinson, Esq., on behalf of Israel A. Colon, Sr., dealing with qualifications for an applicant to engage in contracting as a partnership, corporation, business trust, or other legal entity, including the provision of a comprehensive financial statement reflecting a minimum net worth for an unlimited electrical and alarm contractor. Petitioner is requesting a permanent variance and waiver of the rule requiring a minimum net worth by submitting a bond until such time as the company can demonstrate the net worth requirement.

Comments on this petition should be filed with: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, P. O. Box 5377, Tallahassee, FL 32314-5377, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, P. O. Box 5377, Tallahassee, FL 32314-5377, (850)487-8304.

NOTICE IS HEREBY GIVEN THAT on August 17, 2009, the Board of Accountancy, received a petition for Jill A. Bender, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida

32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on August 13, 2009, the Board of Clinical Laboratory Personnel, received a petition for Salome R. Zapanta. Petitioner is seeking a variance or waiver of subsection 64B3-6.002(7), Florida Administrative Code, which requires that individuals with a baccalaureate degree in accredited medical technology programs from accredited institutions in the Philippines, submit official transcripts sent directly by the institution to the Board office.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on July 10, 2009, the Board of Massage Therapy, received a petition for waiver or variance from Danell Dewar, of paragraph 64B7-28.009(3)(a), F.A.C., with respect to the 12 hours of continuing education via live classroom instruction which includes hands on instruction or demonstration because compliance with this requirement would cause hardship for Petitioner who now lives in the State of Michigan. It would cause Petitioner substantial hardship if she traveled to Florida to take the CEU classes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, at the above-referenced address, or at telephone number (850)245-4161.

NOTICE IS HEREBY GIVEN THAT on July 24, 2009, the Board of Massage Therapy, received a petition for waiver or variance from Deborah Ann Santa Barbara, of paragraph 64B7-28.009(3)(a), F.A.C., with respect to the 12 hours of continuing education via live classroom instruction which includes hands on instruction or demonstration because compliance with this requirement would cause hardship for

Petitioner who now lives in Allen, Texas. It would cause Petitioner great financial hardship if she traveled to Florida to take the CEU classes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256, within 14 days of publication of this notice.

For a copy of the petition, contact: Kaye Howerton, Executive Director, at the above-referenced address, or at telephone number (850)245-4161.

NOTICE IS HEREBY GIVEN THAT on August 18, 2009, the Department of Health, Office of School Psychology, has issued an order.

Date Petition Filed: July 20, 2009

Nature of the rule for which variance or waiver is sought: subsection 64B21-500.011(4), F.A.C., requires official documentation of a passing score issued directly by the test administration agency.

Date Petition Published in the Florida Administrative Weekly: July 31, 2009, Vol. 35, No. 30.

General Basis for Agency Decision: On July 20, 2009, Maria A. Dobbins, Ph.D., asked the department to accept her testing scores from the State of Texas rather than from the examination provider, which no longer had a record of her testing scores. Petitioner's request was granted on principles of fairness and because scores from an alternate secure source met the underlying purpose of the statute.

A copy of the Order may be obtained by contacting: Allen Hall, Executive Director, Office of School Psychology, Department of Health, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN THAT on August 12, 2009, the Bureau of Radiation Control, received a petition for William C. Dixon, IV, M.D. The petitioner is seeking a variance of subsection 64E-5.650(2), F.A.C., which requires a physician to complete 200 hours of didactic training consisting of 100 hours of radiation physics and instrumentation, 30 hours of radiation protection, 20 hours of mathematics pertaining to the use and measurement of radioactivity, 30 hours of radiopharmaceutical chemistry and 20 hours of radiation biology, 500 hours of work experience at a medical institution and 500 hours of clinical experience.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Paul E. Vause, Jr., Environmental Administrator, Bureau of Radiation Control, Radioactive Materials Program, Bin #C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4545. Comments on this petition should be filed with the Bureau of Radiation Control within 14 days of this notice.

NOTICE IS HEREBY GIVEN THAT on August 19, 2009, the Department of Health, received a petition for Variance from paragraph 64E-11.007(3)(b), Florida Administrative Code (FAC), from Yvonne T. Williams of River's Edge Adult Day Care, Inc., 422 Martin Road, S. E., Palm Bay, FL 32909. This rule section states, "There shall be no direct connection between sewerage system and any drains originating from equipment in which food, portable equipment or utensils are placed." Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ric Mathis, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of Florida Main Street** announces a public meeting to which all persons are invited.

DATE AND TIME: September 18, 2009, 1:00 p.m. – 3:00 p.m.

PLACE: The Henegar Center, 625 E. New Haven Avenue, Melbourne, Florida 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Friends of Florida Main Street Board will meet to have a board retreat facilitated by Jeannette Peters, a certified consultant. This meeting will be to establish marketing and funding goals and objectives of Florida Main Street.

A copy of the agenda may be obtained by contacting: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Joan Jefferson, Florida Main Street Coordinator, Department of State, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.