

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT on May 28, 2009, the Florida Public Service Commission received a notice for DOCKET NO.: 090189-SU from Water Management Services, Inc. (WMSI), withdrawing its request for a rule variance from portions of subsection 25-30.033(1), Florida Administrative Code (F.A.C.).

For additional information, please contact: Anna Williams, Office of the General Counsel, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6076.

A copy of the Petition for Variance or Waiver and/or a copy of the Notice of Withdrawal may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on June 4, 2009, the Agency for Health Care Administration, received a petition for waiver of subsection 59A-7.020(15), F.A.C., from DVA Laboratory Services, Inc. The petition requests a waiver of rule provisions prohibiting personnel to provide assistance in the collection and processing of specimens. The specific provision on which the waiver is sought is paragraph 59A-7.020(15)(g), F.A.C. The Petitioner in its request seeks a permanent waiver from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on May 26, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a waiver from unreferenced codes which requires Fire Fighter Service Phase 1 and 2, from John Wagner on behalf of Hotel Management Group, License Number 14796 (VW 2009-109).

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 May 27, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance until June 21, 2009 for an unreferenced code requiring door restricters. The request was received from Terry Carpenter of Crestwood Nursing Center in Palatka, FL (VW 2009-179).

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 May 27, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rules 3.11.3 and 2.7.4, A17.3, 1996 which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from David Thompson on behalf of 1ST Union Building and Manatee County, FL (VW 2009-180).

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 May 29, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a permanent emergency variance from Rule 2.18.5, ASME A17.1, 2005 which requires governor ropes be of at least 9.5 mm. The request was submitted by Lee Rigby on behalf of USF Marshall Center in Tampa, FL (VW 2009-181).

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 1, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a 60 day variance from Sections 399.02(5)(a), 399.02(5)(b) and 399.061(4), F.S., which makes the construction permit holder responsible for correcting violations and periodic tests, makes the owner responsible for the safe operation of the elevator and gives the division the authority to issue an order to correct any violation and

reinspect the elevator. The request was received from Monica Giglio on behalf of Villa D'Rste Condominium Association in Venice, FL (VW 2009-182).

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 May 18, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from an unreferenced code requiring fire department controls be behind a locked door on the car control panel. The request was submitted by David Spencer of ThyssenKrupp Elevator on behalf of Baypointe Yacht and Racquet in North Fort Myers, FL (VW 2009-183).

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 May 28, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from an unreferenced code prohibiting foreign equipment in the machine room from Richard Mierzwa on behalf of Point Brittany Apartments in St. Petersburg, FL (VW 2009-184).

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 May 29, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a waiver from an unreferenced codes requiring undescribed upgrades to the elevators located at La Puerta Del Sol Condominiums in St. Petersburg. The petition was received from Adrian Ignowski, President of the Association (VW 2009-191).

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 4, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a permanent variance from Rules 2.20.4 and 8.7.2.27.4, ASME A17.1, 2005 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires steel suspension, wedge shackles with non-welded terminations and grooved sheaves of a minimum pitch. The request was submitted by Timothy Hawthorne of Otis Elevator on behalf of Health Village Medical Office Building, Florida Hospital (VW 2009-192).

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 5, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 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. The petition was received from Jonnie Mae Warner on behalf of 2400 Maitland Center Parkway in Maitland, FL (VW 2009-193).

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 5, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 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. The petition was received from Jonnie Mae Warner on behalf of 500 Winderly Place in Maitland, FL (VW 2009-194).

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 5, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from Rules 2.3.1, 2.1.3 and 3.3.1, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires menas of pit access, hoistway construction be substantially flush and car platforms with a minumum 21" vertical face with bent back at the bottom. The petition was from Stephen Ritz on behalf of Tower East Group, Inc. in Pensacola, FL (VW 2009-195).

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 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires unspecified changes to the elevators from Ted Ricketts on behalf of All Childrens' Hospital (VW 2009-196).

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 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires unspecified changes to the elevator. The petition was received from David Wilson, President, on behalf of Surfside North Condominium (VW 2009-197).

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 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.1, 3.11.3, 3.4.5, 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, two-way communication, car illumination and restriction of doors from William Snyder on behalf of Sea Island South Condominium in Clearwater, FL (VW 2009-198).

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 9, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from an unreferenced codes as adopted by Chapter 3002.1, Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C., requiring the removal of foreign equipment, provide ventilation in the machine room, guarding of a sewer pipe, top of car light on a GFCI, emergency car lighting, fire panel and sprinkler system, stop switch car lighting, emergency phone, hand rail, door restrictor and machine room lighting and receptacles GFCI. The petition was received for Terry Carpenter of Lakewood Nursing Center in Crescent City, FL (VW 2009-200).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety.

NOTICE IS HEREBY GIVEN THAT on June 9, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from A17.3, 1996 as adopted by Chapter 3002.1, Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and door restriction, from Mary K. Sittman on behalf of Chipola Apartments in Marianna, FL (VW 2009-201).

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 9, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, 1996 as adopted by Chapter 3002.1, Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2, from Sue O'Connor, on behalf of Oceans One Condo., Inc. (VW 2009-202).

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 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 8.6.5.8, A17.1, 2005 as adopted by Chapter 3002.1, Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires safety bulkhead on hydraulic cylinders until July 31, 2009. The petition was received from Mark F. Lapp on behalf of Hendry County, FL (VW 2009-203).

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 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from unreferenced code which requires a lockable fire service cabinete from David Spencer on behalf of Baypointe Yacht and Racquet (VW 2009-204).

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.

The Board of Professional Engineers hereby gives notice that it has received a petition, filed on May 7, 2009, by Danielly Orozco seeking a variance or waiver of Rule 61G15-20.007, F.A.C., which is entitled "Demonstration of Substantial Equivalency." Specifically, the Petitioner requests, for reasons set forth in the petition, a waiver of the general education requirements under paragraph 61G15-20.007(1)(b), F.A.C., that govern the stated amount of credit hours required in the humanities and social sciences by either counting her additional hours in Engineering Science and Design or her experience and involvement in academic activities as humanities and social sciences, or waive that particular requirement altogether.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301.

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 May 27, 2009, the The Board of Clinical Laboratory Personnel has issued an order.

The Board of Clinical Laboratory Personnel hereby gives notice of the issuance of an order denying the petition for waiver or variance filed by Thuy-Ai Huynh. The Petitioner filed a petition for waiver or variance from Rule 64B3-5.003, F.A.C. The petition for waiver or variance was published in Vol. 35, No. 12, of the March 27, 2009, Florida Administrative Weekly. The petition was heard at a duly-noticed telephone conference call on May 11, 2009. The Board's order, filed on May 27, 2009, denies the petition for waiver or variance, finding that the Petitioner did not meet the purpose of the underlying statute, did not show that Petitioner would suffer a substantial hardship from application of the rule, and did not show that application of the rule at issue to Petitioner would violate principles of fairness.

A copy of the Order 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.

NOTICE IS HEREBY GIVEN THAT on May 12, 2009, the Department of Health, received a petition for Variance or Waiver filed by Shands Teaching Hospital and Clinics, Inc., for and on behalf of the Infectious Disease Pharmacokinetics Laboratory, seeking a permanent waiver from subsection 64B3-5.003(3), F.A.C., for the following individuals: Charles Peloquin, Vaneska Mayor, Behrang Mahjoub, Theodore Zagurski. Rule 64B3-5.003, F.A.C., sets forth the education, training/experience, and examination requirements for applications for technologist licenses. In addition to the individuals specifically named in the petition, Petitioner also seeks a permanent waiver from subsection 64B3-5.003(3), F.A.C., for all future laboratory personnel meeting the same or similar criteria as the individuals listed.

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.

NOTICE IS HEREBY GIVEN THAT on May 27, 2009, the The Board of Clinical Laboratory Personnel has issued an order.

The Board of Clinical Laboratory Personnel hereby gives notice of the issuance of an order denying the petition for waiver or variance filed by Tammie Spell. The Petitioner filed a petition for waiver or variance from Rule 64B3-5.002, F.A.C. The petition for waiver or variance was published in Vol. 35, No. 12, of the March 27, 2009, Florida Administrative Weekly. The petition was heard at a duly-noticed telephone conference call on May 11, 2009. The Board's order, filed on May 27, 2009, denies the petition for waiver or variance, finding that the Petitioner did not meet the purpose of the underlying statute, did not show that Petitioner would suffer a substantial hardship from application of the rule, and did not show that application of the rule at issue to Petitioner would violate principles of fairness.

A copy of the Order 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.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Ana Maria Arango, D.M.D. The Notice of Petition for Variance was published in Vol. 35, No. 5, of the February 6, 2006, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on February 20, 2009.

The Board's Order, filed on March 11, 2009, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her dental education in Columbia, supplemental studies, and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), F.S. and subsection 64B5-2.0146(2), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance filed by Edwin Bayo, Esq. on behalf of Marcie Berger, D.M.D. The Notice of Petition for Variance was published in Vol. 34, No. 52, of the December 24, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on December 12, 2008.

The Board's Order, filed on January 7, 2009, grants the Petition for Variance or Waiver, pending Petitioner's successful performance of twenty (20) cases of pediatric conscious sedation while under the supervision of Dennis Stone, M.D. or a member of his pediatric anesthesia group and finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Additionally, Petitioner has demonstrated that strict application of paragraph 64B5-14.005(2)(b), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), F.S. and paragraph 64B5-14.005(2)(b), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of paragraph 64B5-14.005(2)(b), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance filed Maria Del Rosario Blanco, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 52, of the December 24, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on February 20, 2009.

The Board's Order, filed on March 11, 2009, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her dental education in Columbia and her completion of the two year General Residency Program at Jackson Memorial Hospital. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), F.S. and subsection 64B5-2.0146(2), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance filed by Edwin A. Bayo on behalf of Sandra R. Brener, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 39, of the September 19, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 12, 2008.

The Board's Order, filed on October 6, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies, and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), F.S. and subsection 64B5-2.0146(2), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance filed by Edwin Bayo, Esq. on behalf of Johanny Caceras, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 39, of the September 19, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 12, 2008.

The Board's Order, filed on October 6, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his supplemental studies, and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-7.003(4), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), F.S. and subsection 64B5-7.003(4), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-7.003(4), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance filed by Edwin Bayo, Esq. on behalf of Adriana Gabaldon, D.D.S. The Notice

of Petition for Variance was published in Vol. 34, No. 32, of the August 15, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 12, 2008.

The Board's Order, filed on October 6, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her completion of (2) years residency in general practice. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-7.003(4), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), F.S. and subsection 64B5-7.003(4), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-7.003(4), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance filed by Edwin Bayo, Esq. on behalf of Ivan Izquierdo, D.M.D. The Notice of Petition for Variance was published in Vol. 34, No. 39, of the September 19, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 12, 2008.

The Board's Order, filed on October 6, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his completion of (2) years of supplemental dental education at the Advanced Education General Dentistry program at the Dade County Dental Research Clinic and at the Oral and Maxillofacial Surgery residency program at Jackson Memorial Hospital under the auspices of the University of Miami. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-7.003(4), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), F.S. and subsection 64B5-7.003(4), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-7.003(4), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Leandra Dopaza Antonio Jose, D.D.S. The Notice of Petition for Variance was published in Vol. 35, No. 5, of the February 6, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on February 20, 2009.

The Board's Order, filed on March 11, 2009, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies, and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Section 120.542(2), F.S. and subsection 64B5-2.0146(2), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Thelma Ferrer Joseph, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 39, of the September 19, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 12, 2008.

The Board's Order, filed on October 6, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her completion of a Dental Hygiene clinical education to the level of the clinical experience required by an American Dental Association (ADA) unaccredited Dental Hygiene Program. Additionally, Petitioner has demonstrated that strict application of subparagraph 64B5-2.0144(10)(b)2., F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Section 120.542(2), F.S. and subparagraph 64B5-2.0144(10)(b)2., F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subparagraph 64B5-2.0144(10)(b)2., F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Rania Livada, D.D.S. The Notice of Petition for Variance was published in Vol. 35, No. 7, of the February 5, 2009, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on February 20, 2009.

The Board's Order, filed on March 11, 2009, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies, and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), F.S. and subsection 64B5-2.0146(2), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The **Board of Dentistry** hereby gives notice of the issuance of an Order regarding the Petition for Variance for Vivian Manjarres, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 39, of the September 19, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 12, 2008.

The Board's Order, filed on October 6, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies, and practice experience and obtaining her dental licensure in another state. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Section 120.542(2), F.S. and subsection 64B5-2.0146(2), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Anas Selman, D.D.S. The Notice of Petition for Variance was published in

Vol. 34, No. 27, of the July 3, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on September 12, 2008.

The Board's Order, filed on October 6, 2008, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through his supplemental studies, and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Section 120.542(2), F.S. and subsection 64B5-2.0146(2), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Madelene M. Trujillo, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 52, of the December 24, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on February 20, 2009.

The Board's Order, filed on March 11, 2009, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies, and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Section 120.542(2), F.S. and subsection 64B5-2.0146(2), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Viviana Lea Waich, D.D.S. The Notice of Petition for Variance was published in Vol. 34, No. 52, of the December 24, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on February 20, 2009.

The Board's Order, filed on March 11, 2009, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), F.S.. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved or has been achieved by other means as evidenced through her supplemental studies, and practice experience. Additionally, Petitioner has demonstrated that strict application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Section 120.542(2), F.S. and subsection 64B5-2.0146(2), F.A.C. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on June 8, 2009, the Board of Massage Therapy, received a petition for waiver or variance from Donald Covino, with respect to the 12 hours of continuing education via live classroom, because he is employed as a commercial truck driver which precludes him from attending classes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kaye Howerton, Executive Director, at the above-referenced address or telephone: (850)245-4161.

NOTICE IS HEREBY GIVEN THAT on June 8, 2009, the Department of Health, received a petition for variance or waiver from Francis C. Hand, representing Harry Bussey, Jr., ICC Technologies. Specifically, the petitioner seeks a waiver from subsection 64E-6.009(7), subparagraph (7)(a)4., and paragraph (7)(d), F.A.C., which require innovative system testing and prohibits the reduction in drainfield size for alternative drainfield materials.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

NOTICE IS HEREBY GIVEN THAT on June 9, 2009, the Department of Health, received a petition for Waiver from subparagraph 64E-13.004(6)(a)1., F.A.C., from Seacoast Christian Academy, 9100 Regency Square Boulevard, North, Jacksonville, Florida. This rule requires schools to have toilet and handwashing facilities for preschool grades through grade three located within or adjoining their classrooms.

Comments on this petition should be filed: 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: Tracy Perez, 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 AGRICULTURE AND CONSUMER SERVICES

The **Florida Agricultural Center and Horse Park Authority** announces a public meeting to which all persons are invited.

DATES AND TIME: Tuesdays, July 7, 14, 21, 28, 2009, 4:00 p.m.

PLACE: Florida Horse Park, 11008 South Highway 475, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committees of the Florida Agricultural Center and Horse Park Authority will meet every Tuesday in July to discuss committee business.

A copy of the agenda may be obtained by contacting: Richard Gunnels at gunnelr@doacs.state.fl.us or (850)488-3022.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Richard Gunnels at gunnelr@doacs.state.fl.us or (850)488-3022. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Pest Control Enforcement Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 21, 2009, 9:00 a.m.

PLACE: AES, Conference Room, 3125 Conner Boulevard, Building #8, Tallahassee, Florida 32399, (850)488-3731; on the internet at the following website: <https://doacs.webex.com/doacs/j.php?ED=125556282&UID=0>; or by teleconference: 1(888)808-6969, Conference Code: 9219088

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the business of the Council.

A copy of the agenda may be obtained by contacting: Mr. Mike Page, Chief, Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)921-4177.

The **Department of Agriculture and Consumer Services, Division of Forestry** announces a public meeting to which all persons are invited.