

4. Water safety devices shall be provided for residential pools. A shepherd’s hook shall be provided securely attached to a one piece pole not less than 16 feet in length, and at least one 18 inch diameter lifesaving ring with sufficient rope attached to reach all parts of the pool from the pool deck. Safety equipment shall be mounted in a conspicuous place and be readily available for use.

Rulemaking Specific Authority 409.175 FS. Law Implemented 409.175 FS. History–New 7-1-87, Formerly 10M-9.019, Amended 10-11-10.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: October 11, 2010

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.”

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on October 6, 2010, the South Florida Water Management District (District), received a petition for Variance (Application 101006-15) from the City of Port St. Lucie Public Works Department for irrigation of all city roadways located in St. Lucie County. The petition seeks relief from provisions in Chapter 40E-24, F.A.C., pertaining to mandatory year-round landscape irrigation conversation measures, pursuant to Section 120.542, Florida Statutes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Water Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911; by e-mail: permits@sfwmd.gov or by accessing the District’s website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: District Clerk.

For additional information, contact: Jesus Rodriguez at (561)682-6060 or email: jerodrig@sfwmd.gov.

NOTICE IS HEREBY GIVEN THAT on August 11, 2010, the South Florida Water Management District (District) has issued an order.

The South Florida Water Management District (District) issued an Order Granting Temporary Variance under Section 120.542, Florida Statutes (Order No.: 2010-149-DAO WU), dated August 11, 2010, to Walt Disney Parks and Resorts U.S., Inc., located in Orange and Osceola Counties. The Petition for Variance (Application No.: 100428-8) was received by the District on April 28, 2010. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 36, No. 25, June 25, 2010. This Order provides a temporary variance for Walt Disney Parks and Resorts U.S., Inc. Specifically, the Order grants a temporary variance from subsection 40E-24.201(6), Florida Administrative Code, which states that irrigation of existing landscaping shall be conducted on specific days. Generally, the Order sets forth the basis of the Executive Director’s decision to grant the temporary variance as follows: 1) the Petitioner has demonstrated that the use of the ET-based irrigation control system is likely to achieve the purpose of the statutes underlying subsection 40E-24.201(6), Florida Administrative Code; 2) the Petitioner has demonstrated that it will experience substantial economic and technological hardship if it is required to comply; 3) the District has reasonable assurance that the granting of this temporary variance will be consistent with statutory requirements; and 4) the granting of this temporary variance will not prevent the Petitioner from meeting all permit conditions necessary to assure compliance with all of the District rules assuring protection of the water resources.

A copy of the Order can be obtained by contacting: The Water Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by email: permits@sfwmd.gov or by accessing the District’s website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page.

NOTICE IS HEREBY GIVEN THAT on August 11, 2010, the South Florida Water Management District (District) has issued an order.

The South Florida Water Management District (District) issued an Order Granting Temporary Variance under Section 120.542, Florida Statutes (Order No.: 2010-150-DAO WU) to Reedy Creek Improvement District, located in Orange and Osceola Counties. The Petition for Variance (Application No.: 100428-9) was received by the District on April 28, 2010. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 36, No. 25, on June 25, 2010. This Order provides a temporary variance for Reedy Creek Improvement District. Specifically, the Order grants a temporary variance from subsection 40E-24.201(6), Florida Administrative Code, which states that irrigation of existing

landscaping shall be conducted on specific days. Generally, the Order sets forth the basis of the Executive Director's decision to grant the temporary variance as follows: 1) the Petitioner has demonstrated that the use of the ET-based irrigation control system is likely to achieve the purpose of the statutes underlying subsection 40E-24.201(6), Florida Administrative Code; 2) the Petitioner has demonstrated that it will experience substantial economic and technological hardship if it is required to comply; 3) the District has reasonable assurance that the granting of this temporary variance will be consistent with statutory requirements; and 4) the granting of this temporary variance will not prevent the Petitioner from meeting all permit conditions necessary to assure compliance with all of the District rules assuring protection of the water resources.

A copy of the Order can be obtained by contacting: The Water Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, by email: permits@sfwmd.gov or by accessing the District's website: www.sfwmd.gov using the Application/Permit Search on the ePermitting page.

NOTICE IS HEREBY GIVEN that on October 06, 2010, the South Florida Water Management District (District), received a petition for waiver from Mirtha Marshall, Application No.: 10-0702-4, for utilization of Works or Lands of the District known as the Hillsboro Canal, for an existing lawn light pole that is within 40 feet from top of bank within the north right of way of the Hillsboro Canal, Section 33, Township 47 South, Range 42 East, Palm Beach County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the use of the District's Right of Way for placement of above ground facilities within 40 feet from top of bank within Works or 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: jurussell@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT on September 17, 2010, the Agency for Health Care Administration, received a petition for Variance or Waiver from subsection 59A-1.005(35), Florida Administrative Code, from Alphatec Spine, Inc. The petition requests a variance of rule provisions requiring HTLV testing for donor tissue. The specific provision on which the waiver is

sought is subparagraph 59A-1.005(35)(a)2., Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

NOTICE IS HEREBY GIVEN THAT on September 30, 2010, the Agency for Health Care Administration has issued an order.

A Final Order granting the Petition for Variance or Waiver from subparagraph 59A-1.005(35)(a)2., F.A.C., filed by Tissue Banks International, Inc. on June 30, 2010 and advertised in Vol. 36, No. 30, Florida Administrative Weekly on July 30, 2010 has been issued. The Petition was assigned Agency Case Number 2010007132. The following is a summary of the agency's Order granting a temporary waiver from the rule: The Agency for Health Care Administration has issued a Final Order granting a temporary waiver from subparagraph 59A-1.005(35)(a)2., F.A.C., to Tissue Banks International, Inc. for a period of 2 years upon a finding that the purpose of the underlying statute will be achieved by other means and that an application of the rule would create a substantial hardship.

A copy of the Order may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, MS 3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Hudson Center, filed August 16, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until September 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-534).

A copy of the Order 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 October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Pierson Bldg., filed August 13, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until August 1, 2011, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-535).

A copy of the Order 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 October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Lee Memorial Hospital, filed August 20, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until July 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-544).

A copy of the Order 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 October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Lee Memorial Hospital, filed August 20, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph

61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until July 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-545).

A copy of the Order 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 October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Ocean Club II Condo, filed August 20, 2010, and advertised in Vol. 36, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-546).

A copy of the Order 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 October 8, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Final Order was in response to a Petition for Variance from Mansions by the Sea, filed September 9, 2010, and advertised in Vol. 36, No. 40, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until July 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2010-576).

A copy of the Order 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 September 30, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lake Side Village Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4 and 3.10.4(t), as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for restricted door openings and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-605).

A copy of the Petition 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 October 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Town and Country Hospital. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3), as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-606).

A copy of the Petition 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 October 1, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from UCF Physical Science Bldg. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.2.2.5, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for sump pumps which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-607).

A copy of the Petition 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 October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Concourse Tower II. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-609).

A copy of the Petition 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 October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Wachovia Financial Center. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-610).

A copy of the Petition 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 October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Concourse Tower I. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-611).

A copy of the Petition 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 October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lynn University. Petitioner seeks a variance of the requirements of an unspecified rules, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-612).

A copy of the Petition 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 October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lake Destiny. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-613).

A copy of the Petition 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 October 5, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from 341 Maitland Ave., Office Bldg. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-614).

A copy of the Petition 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 October 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received

a petition from Peninsula Inn. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.2.2, 2.7.4, 3.3.2, 3.10.4(v) and of ASME A17.1, Section 210.4, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for a spring locked machine room door, restricted door openings, platform guards, stop switch in the pit and electrical equipment to meet the requirements of NFPA 70 which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-616).

A copy of the Petition 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 October 6, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Professional Office Complex. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, 2.7.4 and 3.11.1(a)(2), as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings and two-way communication which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-617).

A copy of the Petition 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 October 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Lakeview Center. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.3.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-618).

A copy of the Petition 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 October 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Baymont Inn. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-619).

A copy of the Petition 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 October 7, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from KIPP Impact Middle School. Petitioner seeks a variance of the requirements of unspecified rules, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-620).

A copy of the Petition 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 October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from Bud Bar @ 319, Miami, FL. The above referenced F.A.C. addresses the requirements the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize a mopsink and dishwashing facility located within another licensed 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 October 1, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Carvery #1, #2, #3, Cavery-Terrace level, Latin Food-Concourse level, Noodle Cart-Terrace level, Nacho Cart-Concourse level, Sausage Cart-Concourse level, Soul Food Cart-Concourse level and BBQ Cart-Concourse level, Orlando, FL. The above referenced F.A.C. addresses the requirements The requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. The requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. The requirement that each establishment have an approved plumbing system installed to transport wastewater. They are requesting to share the dishwashing facility and mop sink located in another establishment at the same location and under the same ownership and to utilize holding tanks for potable and waste water at the hand sink.

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 October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subparagraph 61C-1.002(5)(a)2., Florida Administrative Code from East Plaza #5, Miami, FL. The above referenced F.A.C. addresses the requirements that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to mount the mobile food dispensing vehicle on casters rather than an axle.

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 October 7, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subparagraph 61C-1.002(5)(a)2., Florida Administrative Code, from Evey's Mobile Soft Serve Palace, Melbourne, FL. The above referenced F.A.C. addresses the

requirements that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to mount the mobile food dispensing vehicle on casters rather than an axle.

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 October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Hot Dog @ 313, Miami, FL. The above referenced F.A.C. addresses the requirements the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and utilize dishwashing facilities located within another licensed establishment. They are requesting to share the mop sink and tree-compartment sink located within another licensed facility at the same location and under the same ownership.

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 October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Hot Dog @ 329 & 304, Miami, FL. The above referenced F.A.C. addresses the requirements The requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. The requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. The requirement that each establishment have an approved plumbing system installed to transport wastewater. They are requesting to share the dishwashing facility and mop sink located in another establishment at the same location and under the same ownership and to utilize holding tanks for potable and waste water at the hand sink.

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 October 8, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code and Paragraph 5-202.11(A), 2001 FDA Food Code from Papa John, Nacho & Mexi, Miami, FL. The above referenced F.A.C. addresses the requirements The requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. The requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. The requirement that each establishment have an approved plumbing system installed to transport wastewater. They are requesting to share the dishwashing facility and mop sink located in another establishment at the same location and under the same ownership and to utilize holding tanks for potable and waste water at the hand sink.

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 October 6, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsections 61C-4.010(6) and (7), Florida Administrative Code from Pizza Brew, Coral Springs, FL. The above referenced F.A.C. addresses the requirements that at least one accessible bathroom be provided for use by customers. They are requesting to share bathrooms located within another business for use by customers only.

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 October 8, 2010, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from Subway, Cape Coral, FL. The above referenced F.A.C. addresses the requirements that at least one service sink is

provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize a mopsink and dishwashing facility located within another 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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN that on October 1, 2010, the Department of Environmental Protection, received a petition for variance from certain Department rules regarding a construction permit for a proposed Class I landfill in Nassau County, Florida. The petitioner, Smurfit-Stone Container Corporation, has requested a variance from subsection 62-701.320(9), Florida Administrative Code, which requires that the time period for permits be no longer than five years from the date of issuance by the Department. The petitioner is requesting the permit expiration date be extended another five years to allow time to determine if the construction of the landfill will be necessary. Any interested person or other agency may submit written comments on the petition with 14 days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard Tedder, Program Administrator, Department of Environmental Protection, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, email: richard.tedder@dep.state.fl.us, (850)245-8735.

NOTICE IS HEREBY GIVEN THAT on September 27, 2010, the Department of Environmental Protection, Northwest District, received a petition for a variance under Section 120.542, Florida Statutes, from the requirements of subsection 62-601.500(2), Florida Administrative Code (F.A.C.). The petitioner, Malcolm Thomas, Superintendent of Schools, Escambia County School Board, for the Northview High School Wastewater Treatment Plant, located at 4100 W. Highway 4, Bratt, FL 32535, seeks relief from the domestic wastewater treatment plant minimum schedule for sampling and testing of monitoring parameters required by subsection 62-601.500(2), Figure 2, F.A.C. The petitioner is requesting that the wastewater treatment plant sample and test for the parameters total suspended solids and fecal coliform one sample per month. Rule 62-601.500, Figure 2, Note 4, F.A.C., specifies the minimum sampling and testing for these parameters for reuse systems of 50,000 gallons or less,

requiring high-level disinfection, as three (3) days per week. The petition has been assigned OGC File No.: 10-2741 and PA File No.: FLA010033-007-DWF/VO. Public comment must be received by the person below no later than 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allan Karrer, Department of Environmental Protection, Domestic Wastewater Section, Northwest District, 160 Governmental Center, Pensacola, Florida 32502, email: allan.karrer@dep.state.fl.us, (850)595-0601.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on September 17, 2010, the Board of Chiropractic Medicine has issued an order.

The Order is regarding the Petition for Waiver or Variance, which was filed on June 17, 2010, by Julia Golod. The Notice of Petition for Waiver or Variance was published in Vol. 36, No. 26, of the July 2, 2010, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance of Rule 64B2-13.0045, Florida Administrative Code, entitled, "Continuing Education Course Required for Initial Licensure, Renewal, or Reactivation," which requires that each applicant for licensure shall attend and certify attending a Board-approved two hour course relating to the prevention of medical errors. The Board considered the instant Petition at a duly-noticed meeting, held August 27, 2010, in Orlando, Florida.

The Board's Order denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from Rule 64B2-13.0045, F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on September 3, 2010, the Board of Clinical Laboratory Personnel has issued an order. The Order is regarding the Petition for Waiver or Variance, which was filed on July 2, 2010, by Michelle H. Forman. The Notice of Petition for Waiver or Variance was published in Vol. 36, No. 28, of the July 16, 2010, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance of paragraph 64B3-5.002(1)(b), Option 4, Florida Administrative Code, entitled, "Supervisor", which requires for a specialty in Cytology that the applicant have an Associate's degree. The Board considered the instant Petition at a duly-noticed meeting, held August 13, 2010, in Ft. Lauderdale, Florida.

The Board's Order granted the petition finding that Petitioner established that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B3-5.002(1)(b), F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on September 3, 2010, the Board of Clinical Laboratory Personnel has issued an order. The Order is regarding the Petition for Waiver or Variance, which was filed on June 10, 2010, by Margarita Sosa. The Notice of Petition for Waiver or Variance was published in Vol. 36, No. 25, of the June 25, 2010, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance of Rule 64B3-5.003, Florida Administrative Code, entitled "Technologist", which sets forth the requirements for a specialty licensure as a technologist in microbiology, serology/immunology, clinical chemistry, hematology, and immunoematology. The Board considered the instant Petition at a duly-noticed meeting, held August 13, 2010, in Ft. Lauderdale, Florida.

The Board's Order denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B3-5.004(3)(a), F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned Rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order may be obtained by contacting: Bruce Deterding, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

NOTICE IS HEREBY GIVEN THAT on September 29, 2010, the Electrolysis Council, received a petition for waiver or variance from National Laser Institute, seeking a waiver or variance of subparagraph 64B8-52.004(1)(b)6., F.A.C., with respect to: A copy of the electrology facility license and the most recent Department of Health inspection sheet from the location where the continuing education training course is offered demonstrating compliance with paragraph 64B8-51.006(3)(g), F.A.C.

Comments on this petition should be filed with the: Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399, within 14 days of publication of this notice.

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

NOTICE IS HEREBY GIVEN THAT on October 8, 2010, the Board of Medicine, received a petition for waiver or variance filed by Jamuna Sivakanthan, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

Section VI Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission:
 - Office of Insurance Regulation
 - Office of Financial Regulation
- Agency for Enterprise Information Technology
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: November 9, 2010, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The **State Board of Administration** will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds