

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 31, August 5, 2011 issue of the Florida Administrative Weekly.

Proposed amendment to Rule 68B-42.002 has been changed to include the following new subsection:

(1) through (13) No change.

(14) "Power tool" means anything other than a hand-powered tool. Prohibited devices include but are not limited to electric, gas, hydraulic or air-powered tools.

(14) through (19) renumbered (15) through (20) No change.

No other changes were made to the rule amendments as proposed.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Community Affairs hereby gives notice:

NAME OF PETITIONER: City of Panama City

DATE PETITION WAS FILED: May 27, 2011. It was assigned the number DCA11-WAI-108

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Subsection 9K-7.003(9), Florida Administrative Code, states that Applicant must acquire property either 24 months prior to, or 24 months after, the Application deadline. Applicant has acquired property outside of that time frame but was unable to apply for grant funds due to lack of Florida Forever funding and therefore seeks a waiver of this rule. Paragraph 9K-7.007(1)(a), Florida Administrative Code, states the Applicant can receive ten points on their Application if they have acquired the property within the 24 month deadline. Applicant has acquired property outside of that time frame but was unable to apply for grant funds due to lack of Florida Forever funding and therefore seeks a waiver of this rule.

A REFERENCE TO THE PLACE AND DATE OF PUBLICATION OF THE NOTICE OF THE PETITION: June 10, 2011 issue of the Florida Administrative Weekly.

THE GENERAL BASIS FOR THE AGENCY DECISION: The Department found the Petitioner had satisfied the substantial hardship provision of Section 120.542(2), F.S. A

strict application of subsections 9K-7.007(1) and 9K-7.003(9), F.A.C., would create an economic hardship to the Petitioner and violate the principle of fairness. Based upon the facts presented, the Department decided to grant a temporary waiver of the above mentioned rules.

A copy of the Order or additional information may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, e-mail: paula.ford@dca.state.fl.us.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that on September 7, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Orange City Police Department on behalf of 25 officers. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule. The petition supports the requested waiver by stating that the officers did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 reporting cycle. Petitioner states that the 25 officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement simply because the instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 reporting cycle. Additionally, the agency requests a waiver for the 2008-2010 reporting cycle for one officer, the agency's CJSTC certified firearms instructor, because he signed his own CJSTC form 86A. The firearms instructor did demonstrate proficiency and did complete the appropriate course of fire in the presence of other officers, however, and Petitioner argues that for that reason, he is entitled to a waiver.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

NOTICE IS HEREBY GIVEN that on September 7, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Suwannee County Sheriff's Office on behalf of Lt. Wayne Musgrove. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule. The petition supports the requested waiver by stating that Lt. Musgrove did successfully complete the course of fire, however, he was the only CJSTC certified firearms instructor in the agency at the time and signed his own

CJSTC form 86A requalification certifications for the 2008 and 2010 reporting cycles. Petitioner states that this officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that Lt. Musgrove did successfully complete the requirement.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

WATER MANAGEMENT DISTRICTS

The South Florida Water Management District (District) hereby gives notice on September 8, 2011, the District's Governing Board issued SFWMD Order No. 2011-152-DAO-ROW to Florida Power and Light Company (Application No. 11-0630-1). The petition for waiver was received by the District on June 30, 2011. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 37, No. 28, on July 15, 2011. No public comment was received. This Order provides a waiver of the District's criteria to allow for the proposed installation of a vehicular access gate crossing the north right of way of L-12 located approximately 2.5 miles southeast of the intersection of C.R. 700 (State Road 80) and US Highway 441; Section 26, Township 43 South, Range 39 East, Palm Beach County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within 40' of the top of the canal bank within works or lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver as follows: 1) the proposed facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule is based upon a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, Florida 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on August 22, 2011, the South Florida Water Management District, received a petition for Variance (Application 110822-19) from Fort Myers Memorial Gardens, 1589 Colonial Blvd., Ft. Myers, FL 33907, for a project known as Fort Myers Memorial Gardens Cemetery, located in Section 35, Township 44 South, Range 24

East, Lee County. The petition seeks relief from provisions in Chapter 40E-24, F.A.C., pertaining to mandatory year-round landscape irrigation conservation measures, pursuant to Section 120.542, Florida Statutes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Regulation Division, 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, Florida 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: David Allen at (561)682-2888 or e-mail: daallen@sfwmd.gov.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that on August 31, 2011, 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: Early Learning Coalition of Orange County, P. O. Box 540387, Orlando, FL 32854.

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on September 7, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Shell Point. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.3.2 and 3.10.4(u), as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards and emergency stop switch which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-303).

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 September 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Acapulco Inn. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.4.5, 3.3.2 and 3.9.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires emergency lighting, platform guards and final limits 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 2011-306).

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 September 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for East House West House. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 8.6.5.8, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a safety bulkhead which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-304).

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 September 8, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Ormond in the Pines. Petitioner seeks an emergency 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 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-305).

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 September 9, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received

a petition for 933 Office Bldg. #B. Petitioner seeks an emergency 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 with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-307).

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 September 9, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Betty Drew Apts. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.2.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires access to elevator machine rooms which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-308).

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 September 9, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for First National Office Condo Assoc. 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 with 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 2011-309).

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 September 9, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received

a petition for Harbour Towers Condo. Petitioner seeks an emergency 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 with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-310).

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 September 9, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Suntrust Tower at Rialto Place. Petitioner seeks an emergency 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, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-311).

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 September 13, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for FL – 1200 Corporate LLC. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3 and 2.7.4, 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 with firefighters' emergency operations and restricted door openings which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-312).

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection hereby gives notice that on September 13, 2011, the Department of Environmental Protection issued a Final Order granting a petition for variance to the School Board of Brevard County. The petition for variance was received on June 14, 2011, seeking a variance from paragraph 62-602.270(1)(a), F.A.C., to allow students enrolled in the Water Resources Technology Program at the Heritage High School Academy of Environmental Studies to be eligible to take the Level C Water and/or Wastewater examination for operator certification prior to obtaining a high school diploma. The petition was assigned OGC File No.: 11-0873. Notice of receipt of this petition was published in the Florida Administrative Weekly on July 15, 2011. No public comment was received. The final order granted a variance from the licensure examination requirement because the petitioner demonstrated substantial hardship if made to comply with the current examination requirement. The conditions require that the opportunity to be eligible to take the Level C Water and/or Wastewater examination for operator certification prior to obtaining a high school diploma is limited to high school seniors in Heritage High School Academy of Environmental Studies' Water Resources Technology Program; seniors in the Program are only eligible for examination after January 1 in the second semester of their senior year; the School Board of Brevard County shall provide documentation in writing confirming that each student has met all graduation requirements, is projected to graduate on time, and has met all requirements of the Water Resources Technology Program, prior to each senior being allowed to register for the Level C Water and/or Wastewater examination; within 10 days of receipt of a copy of each student's high school diploma, the Department's Operator Certification Program will release the examination scores to Heritage High School, the Office of Career and Technical Education, Brevard Public Schools, and the student; scores will not be released prior to the Department's receipt of a high school diploma; and, the variance shall be for a period of 5 years from the date of the Final Order and does not relieve applicants from meeting all other examination and licensure requirements.

A copy of the Order or additional information may be obtained by contacting: Ronald McCulley, Department of Environmental Protection, Operator Certification Program, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3506, Tallahassee, FL 32399-2400, (850)245-7500, email: ronald.mcculley@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on September 7, 2011, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for Valerie Hoelscher Garoutte, seeking a variance or waiver of paragraph

64B4-3.003(3)(c), F.A.C., which requires for Marriage and Family Therapists that the minimum passing score is the recommended cut-off score provided by the national vendor and established according to the Angoff procedure.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

The Board of Massage Therapy hereby gives notice of the issuance of an Order regarding the Petition for Variance for David Flecha filed on September 12, 2011. The Notice of Petition for Variance was published in Vol. 37, No. 34, of the August 26, 2011, Florida Administrative Weekly. The Petition requested a Variance or Waiver of Rule 64B7-28.010, Florida Administrative Code, with respect to earning credit for self-study. Petitioner sought a variance or waiver from the requirement of the licensee's recertification needs for the year 2011-2012. The Board considered the Petition at a duly-noticed public meeting held by telephone conference on September 12, 2011.

The Board's Order, filed on September 12, 2011, denied the Petition for Variance or Waiver, finding that the applicant did not provide sufficient information to determine if the underlying purpose of the statute has been met.

A copy of the Order or additional information may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

NOTICE IS HEREBY GIVEN that on September 13, 2011, the Board of Medicine, received a petition for waiver or variance filed by Suhail Alsheikh, 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: Joy A. Tootle, Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on September 13, 2011, the Board of Medicine, received a petition for waiver or variance filed by Meenakshi G. LaCorte, 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: 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: Joy A. Tootle, Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on November 30, 2010, the Electrolysis Council received a petition for waiver or variance of subparagraphs 64B8-51.006(3)(b)1., 2., and 3., (g)1. and 2., and (4), F.A.C., with respect to rule Governing Licensure and Inspection of Electrology Facilities, from National Laser Institute.

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

For a copy of the petition, contact: Allen Hall, Executive Director, at the above-referenced address or at telephone number (850)245-4373.

The Department of Health hereby gives notice that on September 14, 2011, Department filed an Order disposing of a petition for variance from the requirements of subparagraph 64E-16.007(2)(a)2., and paragraphs 64E-16.007(2)(e), 64E-16.007(2)(d), F.A.C., which prescribes a procedure to be conducted on a biomedical waste treatment unit prior to placing the unit into service, a procedure for conducting routine efficacy testing and the unit to be equipped to continuously monitor and record temperature and pressure to ensure that the temperature and pressure required to treat the waste has been reached. The petition filed by Stanford A. Glazer on behalf of Red Bag Solutions, was filed with the Department on May 19, 2011 and noticed in the F.A.W. on June 24, 2011, in Vol. 37, No. 25. The Department determined that the Petitioner was able to demonstrate that the underlying statute will have been achieved or has been achieved by other means and that application of the rules would violate the principals of fairness. Therefore, the petition for permanent variance is GRANTED.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, (850)245-4005.

NOTICE IS HEREBY GIVEN that on September 1, 2011, the Department of Health, received a petition for a Variance from subsection 64E-11.002(44) and sub-subparagraph 64E-11.006(5)(a)2.c., Florida Administrative Code, from Activeion Cleaning Solutions, 800 Washington Avenue N., Suite 512, Minneapolis, MN 55401. Activeion requests a permanent variance and for the department to include ionization technology as a form of sanitization and as an alternative chemical sanitizing agent outside of manual

warewashing. 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: Robin Eychaner, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

NOTICE IS HEREBY GIVEN that on September 9, 2011, the Department of Health, Bureau of Radiation Control, received a petition for the Volusia County Division of Corrections. The petitioner is seeking a variance from subparagraph 64E-5.502(1)(a)6., F.A.C., which prohibits individuals from being exposed to radiation from an x-ray machine for training, demonstration or other purposes unless there are also medical requirements and a proper prescription has been provided.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Don Steiner, Environmental Administrator, Bureau of Radiation Control, Radiation Machine Program, 705 Wells Road, Suite 300, Orange Park, Florida 32073, (904)278-5730. Comments on this petition should be filed with the Bureau of Radiation Control within 14 days of this notice.

FLORIDA HOUSING FINANCE CORPORATION

NOTICE IS HEREBY GIVEN that on September 14, 2011, the Florida Housing Finance Corporation, received a petition for waiver from Colonial Lakes Apartments, LTD, of Rule 67-48.027, F.A.C., which prohibits submitting an Application for Housing Credits to Florida Housing, until after tax exempt bonds have been issued to the Development and subsection 67-48.0072(10), F.A.C., which requires the Credit Underwriter to review and determine whether there will be a negative impact to Guarantee Fund Developments within the primary market area or within five miles of the proposed Development.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Della Harrell, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website: floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m. (Eastern Standard Time), on the 14th day after publication of this notice at: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF STATE

The **Division of Historical Resources**, Historic Preservation Grants-in-Aid Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 5, 2011, 10:00 a.m.

PLACE: Webinar (register online at www.flheritage.com/grants)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Management of 2012 Preserve America Grants, including: Reports and Payments; Procurement of Consultants, Contractors and Vendors; Contracts; Close out and Final Products.

A copy of the agenda may be obtained by contacting: Historic Preservation Grants Staff at 1(800)847-7278 or email: bhpgrants@flheritage.com.

The **Division of Historical Resources**, Historic Preservation Grants-in-Aid Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 6, 2011, 10:00 a.m.

PLACE: Webinar (register online at www.flheritage.com/grants)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Management of 2012 Small Matching Grants, including: Reports and Payments; Procurement of Consultants, Contractors and Vendors; Contracts; Close out and Final Products.

A copy of the agenda may be obtained by contacting: Historic Preservation Grants Staff at 1(800)847-7278 or email: bhpgrants@flheritage.com.

The **Division of Cultural Affairs and Citizens for Florida Arts, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 15, 2011, 10:00 a.m.

PLACE: This meeting will take place via teleconference. To obtain participation instructions, please visit the Division's website: www.florida-arts.org and click on the calendar listing for the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review, and take action on funding and any other business that may appropriately come before the board.

A copy of the agenda may be obtained by contacting: Morgan Lewis, Division of Cultural Affairs at (850)245-6470 or email: mblewis@dos.state.fl.us.