

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 69O-186.013
RULE TITLE: Title Insurance Statistical Gathering
PURPOSE AND EFFECT: Pursuant to Section 627.782, Florida Statutes, title insurance agencies and insurers licensed to do business in this state must maintain and submit certain information to the Office, including revenue, loss, and expense data. This statute authorizes rulemaking to collect and analyze such data from the title insurance industry.

The current version of Rule 69O-186.013, F.A.C., implements the provisions of Section 627.782, Florida Statutes, by listing the types of information that shall be submitted to the Office by title insurance agencies and insurers. The Office is proposing to strike the current language of the rule and to replace it with new language that adopts a form, entitled “OIR-EO-2087 Title Insurance Experience Reporting-Agents and Direct-Writing Title Insurance Underwriters”. This form will be submitted to the Office electronically by title insurance agencies and insurers to comply with the reporting requirements of Section 627.782, Florida Statutes. The statistical data collected will be used for the purpose of analyzing premium rates, retention rates, and the condition of the title insurance industry.

SUBJECT AREA TO BE ADDRESSED: Amendment of Rule 69O-186.013

RULEMAKING AUTHORITY: 624.308 FS.

LAW IMPLEMENTED: 624.307(1), 627.782 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 14, 2013, 1:30 p.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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 5 days before the workshop/meeting by contacting: Peter Rice, Office of Insurance Regulation, E-mail Peter.Rice@flor.com. 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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Peter Rice, Office of Insurance Regulation, E-mail Peter.Rice@flor.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II

Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-14.0411
RULE TITLE: Issuance of Continuing Contracts
PURPOSE AND EFFECT: The purpose of the rule development is to revise the current process and criteria for issuing continuing contracts. In addition, criteria for post-award performance reviews are added, and grounds for termination of continuing contracts are revised to include failure to meet the post-award performance criteria. The effect will be a rule aligned with Florida Statutes.

SUMMARY: The proposed rule:

- Requires (5) years of service for eligibility for a continuing contract, rather than (3) years;
- Provides that the institution may consider satisfactory performance in other institutions of higher learning to meet the required years of service;
- Requires each district board of trustees to establish criteria which must be met by full-time faculty members before continuing contracts may be awarded;
- Establish criteria which must be included for eligibility for continuing contract;
- Establishes criteria for optional eligibility for continuing contract; requires each district board of trustees to develop criteria to measure student success and to use such criteria as a criteria for eligibility for a continuing contract;
- Requires each district board of trustees to adopt a policy requiring periodic post-award performance reviews for faculty under continuing contracts, and to utilize the criteria for eligibility in the performance review;
- Provides an effective date.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Florida College System institutions will be able to

cover any administrative expenses within existing resources which are not expected to exceed \$200,000 in the aggregate within one year.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 1001.02. 1012.83, 1012.855 FS.

LAW IMPLEMENTED: 1012.83 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 19, 2013, 8:00 a.m.

PLACE: School for the Arts and Sciences, 3208 Thomasville Road, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chancellor Randy Hanna, Division of Florida Colleges, 325 West Gaines Street, Tallahassee, FL

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 6A-14.0411 follows. See Florida Administrative Code for present text).

6A-14.0411 Employment Issuance of Continuing Contracts for Full-Time Faculty.

(1) Each District Board of Trustees shall develop, maintain and distribute a policy governing the issuance of continuing contracts and other employment contracts for employees serving in a full-time faculty capacity as determined by the college. Such policy shall be consistent with this rule.

(2) In order to be eligible for a continuing contract, full-time faculty shall meet the following minimum requirements:

(a) Complete at least five (5) years of satisfactory service, based on the criteria set forth in subsection (3) below, in the same college, except as provided below, during a period not in excess of seven (7) years. In all cases, such service shall be continuous except for leave duly authorized and granted. The policy established by the district board of trustees may also consider satisfactory service in other institutions of higher learning for purposes of this section.

(b) Receive the recommendation of the president and approval by the board for a continuing contract based on successful performance of duties, demonstration of professional competence pursuant to policy adopted by the board in accordance with subsection (3) of this rule and the needs of the college.

(3) Each board of trustees, after receiving a recommendation from the president and ensuring that input has been received from the faculty, shall establish criteria which must be met by a full-time faculty member before a continuing contract may be awarded.

(a) Such criteria, shall include:

1. Quantifiable measured effectiveness in the performance of faculty duties;

2. Continuing professional development;

3. Currency and scope of subject matter knowledge;

4. Relevant feedback from students, faculty and employers of students;

5. Service to the department, college, and community; and,

6. Criteria determined by the board under subsection (8) of this rule.

(b) Such criteria may include:

1. Educational qualifications, efficiency, compatibility, student learning outcomes, character;

2. Capacity to meet the educational needs of the community;

3. The length of time the duties and responsibility of this position are expected to be needed; and

4. Such other criteria as shall be included by the board.

(4) Each board may establish full-time faculty positions that are not eligible for continuing contract. Faculty hired in these positions may be awarded multiple year contracts, annual contracts, or contracts of less than one (1) year. Notwithstanding any provision in Rule 6A-14.041, F.A.C., no multiple year contracts may exceed three (3) years. Each board shall adopt policies addressing such positions and contracts.

(5) Each employee issued a continuing contract shall be entitled to continue in his or her respective full-time faculty position at the college without the necessity for annual nomination or reappointment until the individual resigns from employment, except as provided in subsection (7) of this rule.

(6) In order to contribute to the continual growth and development of faculty, each board shall adopt policy requiring periodic post-award performance reviews for faculty under continuing contract. Periodic reviews of continuing contract faculty shall use the criteria under subsection (3) of this rule.

(7)(a) Each district board of trustees may, upon recommendation of the president, terminate a full-time faculty employee under continuing contract, or return the employee to an annual contract, for failure to meet post-award performance criteria, or, for cause in accordance with college policies and procedures upon recommendation by the president and approval by the board. The president or designee shall notify the full-time faculty employee in writing of the recommendation and shall afford the full-time faculty employee the right to formally challenge the action in accordance with the policies and procedures of the college. As an alternative to the hearing rights provided by college policies and procedures, the employee may request an administrative hearing in accordance with Chapter 120, Florida Statutes, by filing a petition with the board within twenty-one (21) days of receipt of the recommendation of the president.

(b) Upon recommendation of the president, the board may terminate a full-time faculty employee under continuing contract upon consolidation, reduction, or elimination of an institution's program, or restriction of the required duties of a position by the board. The board shall determine on the basis of the criteria set forth in subsections (2) and (3) of this rule, which full-time faculty employees to retain on a continuing contract and which shall be dismissed or returned to an annual contract. The decision of the board shall not be controlled by any previous contractual relationship. In the evaluation of these factors, the decision of the board shall be final.

(8) In addition, each district board of trustees, after receiving a recommendation from the president and ensuring that input has been received from the faculty, shall develop appropriate criteria to measure student success, which may include the following factors, as appropriate:

- (a) demonstrated or documented learning gains;
- (b) course completion rates;
- (c) graduation and/or certification rates;
- (d) continued success in subsequent and additional courses or educational pursuits;
- (e) job placements in the appropriate field; and,
- (f) other criteria as may be included in the policy approved by the board.

Such criteria shall be used, as appropriate, for the particular field of learning and the individual faculty member, as consideration in determining whether to grant a continuing contract pursuant to subsection (3) above. Such factors shall also be used, as relevant and appropriate to individual faculty members, in the review set forth in subsection (6) above.

(9) Any full-time faculty employee holding a continuing contract who accepts an offer of annual employment in a capacity other than that in which the continuing contract was awarded may be granted an administrative leave of absence pursuant to the college's administrative rules.

(10) In order to provide for a transition period for full-time faculty in the process of being considered for continuing contracts, each board may provide an exemption from the time requirements set forth in paragraph (2)(a) of this rule for full-time faculty being considered for an award of a continuing contract during the 2012-13, 2013-14 and the 2014-15 fiscal years. In addition, each board may provide credit for prior satisfactory years of service for purposes of determining eligibility for a continuing contract. In order to provide adequate time for boards of trustees to develop the criteria described in this Rule, the criteria set forth in subsections (3) and (6) of this rule shall apply beginning in the 2013-14 fiscal year.

Rulemaking Specific Authority 1001.02, 1012.83, 1012.855 FS. Law Implemented 1012.83 FS. History--Formerly 6A-8.33, Repromulgated 12-19-74, Amended 12-9-75, 2-14-77, 12-26-77, 7-16-79, Formerly 6A-14.411, Amended 7-20-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Chancellor Randy Hanna, Division of Florida Colleges
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Tony Bennett, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 19, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 13, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NOS.: RULE TITLES:

- 61E14-5.001 Citations
- 61E14-5.002 Mediation
- 61E14-5.003 Notices of Non-Compliance

PURPOSE AND EFFECT: The purpose of these rules is to establish the disciplinary violations for which licensed community association managers and community association management firms may receive a notice of non-compliance or citation. Furthermore, these rules establish violations which may proceed through the disciplinary process through mediation rather than through the disciplinary process.

SUMMARY: The proposed rules establish the disciplinary violations for which licensed community association managers and community association management firms may receive a notice of non-compliance or citation and those violations which may proceed through the disciplinary process through mediation rather than through the disciplinary process.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

No SERC was required for Rules 61E14-5.002, and 61E14-5.003, F.A.C. The following is a Summary of the Statement of Estimated Regulatory Costs created for Rule 61E14-5.001, F.A.C., approved by the Council:

- The rules are not likely to directly or indirectly have an adverse impact on economic growth; private-sector job creation or employment, or private-sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rules.
- The rules are not likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rules.

- The rules are not likely to directly or indirectly to increase regulatory costs, including any transaction costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rules.
- The number of individuals and entities likely to be required to comply with the rules based on the number of licensed Community Association Managers will be approximately 252.
- The department will not incur any costs for implementing or enforcing the proposed rules.
- There will be no cost to any other state and local government entities of implementing the proposed rules.
- The total estimated costs to the licensees in a 5 year period is not in excess of \$1 million in the aggregate within 5 years after the implementation of the rules.
- The estimated number of small businesses that would be subject to the rules is between 1000-4999.
- There is no small county or small city that will be impacted by the rules.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Commission prepared a SERC for Rule 61E14-5.001 F.A.C., and determined that it did not exceed any of the criteria established in Section 120.541(2)(a), F.S. The Commission conducted an analysis of proposed Rule 61E14-5.002 and 61E14-5.003, F.A.C., potential economic impact and determined that it did not exceed any of the criteria established in Section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 120.695, 468.4315(3), 455.2235(1), 455.224, 455.225, F.S.

LAW IMPLEMENTED: 120.695, 455.2235(1), 455.224, 455.225, F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: R. Kathleen Brown-Blake, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

THE FULL TEXT OF THE PROPOSED RULE IS:

61E14-5.001 Citations.

(1) Definitions. As used in this rule:

(a) "Citation" means an instrument which meets the requirements set forth in Section 455.224, F.S., and which is served upon a subject for the purpose of assessing a penalty in an amount established by this rule;

(b) "Subject" means the licensee, applicant, person, partnership, corporation, or other entity alleged to have committed a violation designated in this rule.

(2) In lieu of the disciplinary procedures contained in Section 455.225, F.S., the Department is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint which is the basis for the citation.

(3) Citations shall be issued for the first two offenses of the same violation only.

(4) The Department shall issue a citation including a penalty for each applicable statutory or rule violation set forth below:

<u>Statutory or Rule Violation</u>	<u>Description of Violation</u>	<u>Citation Amount for First Violation.</u>	<u>Citation Amount for Second Violation.</u>
<u>Section 468.432(1), F.S.</u>	<u>Holding one's self out to the public as being able to manage a community association, or actively managing a community association with an inactive or delinquent license.</u>	<u>\$125</u>	<u>\$250</u>
<u>Section 468.432(1), F.S.</u>	<u>Holding one's self out to the public as being able to manage a community association, or actively managing a community association with a void license or without being licensed to do so.</u>	<u>\$250</u>	<u>\$500</u>

<u>Section 468.432(2), F.S.</u>	<u>Operating a community association management firm or holding the community association management firm out to the public as being able to engage in the business of community association management with an inactive or delinquent license.</u>	<u>\$125</u>	<u>\$250</u>
<u>Section 468.432(2), F.S.</u>	<u>Unless otherwise permitted in Chapter 468, Part VIII, F.S., performing community association management services in a community association management firm which does not have a license or is working on a void license.</u>	<u>\$250</u>	<u>\$500</u>
<u>Section 468.432, F.S.</u>	<u>Employing a person as a community association manager with an inactive or delinquent license.</u>	<u>\$125</u>	<u>\$250</u>
<u>Section 468.432(2), F.S.</u>	<u>Operating a community association management firm or holding the community association management firm out to the public as being able to engage in the business of community association management with an inactive or delinquent license.</u>	<u>\$100</u>	<u>\$250</u>
<u>Paragraph 61E14-2.001(6)(b), F.A.C.</u>	<u>Failing to provide access to association records, for the purpose of inspecting or photocopying the same, to a person entitled to such by the law, as set forth in Section 718.111(12)(c), F.S.</u>	<u>\$200</u>	<u>\$500</u>
<u>Paragraph 61E14-2.001(6)(d), F.A.C.</u>	<u>Failing to maintain his or a management firm's records, or the records of any applicable community association, to the extent charged with the responsibility of maintaining records, in accordance with the laws and documents requiring or governing the records.</u>	<u>\$250</u>	<u>\$500</u>

(5) Prior to issuance of the citation, the Department must confirm that the violation has been corrected or is in the process of being corrected. If the violation is a substantial threat to the public health, safety, and welfare, such potential harm must be removed prior to issuance of the citation.

(6) Once the citation becomes a final order, the citation and complaint become a public record pursuant to Chapter 119, F.S., unless otherwise exempt from the provisions of Chapter 119, F.S. The citation and complaint may be considered as aggravating circumstances in future disciplinary actions pursuant to Rule 61G2-7.030, F.A.C.

(7) With regards to first offenses, the Department's Office of the General Counsel shall return any complaint, which fits the violation descriptions above, to the Division of Regulation for the issuance of a citation, where appropriate.

Rulemaking Authority 468.4315(3), 455.224 FS. Law Implemented 455.224 FS. History—New _____.

61E14-5.002 Mediation.

The following alleged violations may be resolved by mediation using the procedure adopted by the Department pursuant to Section 455.2235, F.S.:

(1) Paragraph 61E14-2.001(2), F.A.C., Making an untrue statement of material fact or failing to state a material fact.

(2) Paragraph 61E14-2.001(4)(a), F.A.C., Failing to exercise due professional care in the performance of community association management services.

(3) Paragraph 61E14-2.001(4)(b), F.A.C., Knowingly failing to comply with the requirements of the documents by which the association is created or operated so long as such documents comply with the requirements of law.

(4) Paragraph 61E14-2.001(6)(a), F.A.C., Withholding possession of any original books, records, accounts, funds, or other property of a community association when requested by the community association to deliver the same to the association upon reasonable notice.

(5) Paragraph 61E14-2.001(6)(b), F.A.C., Denying access to association records, for the purpose of inspecting or photocopying the same, to a person entitled to such by the law.

(6) Paragraph 61E14-2.001(6)(d), F.A.C., Failing to maintain his or a management firm’s records, and the records of any applicable community association, to the extent charged with the responsibility of maintaining records, in accordance with the laws and documents requiring or governing the records.

(7) Paragraph 61E14-2.001(8)(a), F.A.C., Committing acts of gross negligence or gross misconduct in the pursuit of community association management or any other profession for which a state or federal license is required or permitted.

(8) Section 455.227(1)(m), F.S., Making deceptive, untrue, or fraudulent misrepresentations, in or related to the practice of a profession, or employing a trick or scheme, in or related to the practice of a profession.

Rulemaking Authority 468.4315(3), 455.2235 FS. Law Implemented 455.2235 FS. History–New _____.

61E14-5.003 Notice of Non-Compliance.

(1) In accordance with Section 455.225(3), F.S., when a complaint is received, the agency may provide a licensee with a notice of non-compliance for an initial offense of a minor violation. Failure of a licensee to take action in correcting the violation within 15 days after notice may result in the institution of regular disciplinary proceedings. “Minor violations” as used in Section 455.225(3), F.S., are defined as follows:

(a) Violations of paragraph 61E14-2.001(6)(a), F.A.C.: Withholding possession of any original books, records, accounts, funds, or other property of a community association when requested by the community association to deliver the same to the association upon reasonable notice.

(b) Violations of paragraph 61E14-2.001(6)(b), F.A.C.: Failing to provide access to association records, for the purpose of inspecting or photocopying the same, to a person entitled to such by the law, as set forth in Section 718.111(12)(c), F.S.

Rulemaking Authority 468.4315, 455.225(3) FS. Law Implemented 120.695, 455.225(3) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Regulatory Council of Community Association Managers
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2012 and February 8, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 28, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-19.001
RULE TITLE: Percentage of Gross Pilotage Assessed

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify the rate the Department assesses the gross amount of pilotage earned.

SUMMARY: The rule amendment will modify the rate the Department assesses the gross amount of pilotage earned.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-19.001 Percentage of Gross Pilotage Assessed.

(1) The Department of Business and Professional Regulation shall assess the pilots in the respective ports of the state ~~seven tenths nine tenths~~ of one percent ~~(.9%)~~ **(.7%)** of the gross amount of pilotage earned by said pilots during each year, **effective July 1, 2013**. For the purposes of said assessment, the gross amount of pilotage earned shall be the amount of money collected by each pilot or by each entity of which the pilot is a member for piloting which shall include and not be limited to payment for piloting vessels to and from ports of this state, docking or undocking vessels, shifting vessels, running lines, delivering orders at sea, cancelled orders, boat service, detention, pilots being carried to sea, anchoring vessels, and any other related services rendered. Funds collected due under this are to be made payable to the Board and paid by the fifteenth of the following month. When received, the funds are paid into the Professional Regulation Trust Fund as created within the Department.

(2) No change.

THIS RULE SHALL TAKE EFFECT JULY 1, 2013

Rulemaking Authority 310.131, 310.185 FS. Law Implemented 310.131 FS. History—New 2-5-76, Amended 1-19-77, 1-1-78, 12-7-78, 11-1-81, 6-8-82, 8-9-82, 7-31-83, Formerly 21SS-3.01, Amended 5-30-89, 2-19-90, 12-30-91, 12-2-92, Formerly 21SS-3.001, 21SS-19.001, Amended 3-20-94, 1-5-95, 1-30-96, 3-17-96, 11-21-96, 8-25-97, 1-26-99, 1-31-01, 8-1-02, 7-8-03, 2-17-05, 10-2-05, 2-1-06, 5-1-06, 7-1-06, 1-1-07, 8-1-07, 12-16-07, 7-1-08, 7-30-09, 12-31-09, 7-5-10, 11-1-10, 1-1-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Pilot Commissioners

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pilot Commissioners

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 15, 2013

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.315
RULE TITLE: Chipola River Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt a Total Maximum Daily Load (TMDL) and its allocation for nutrients, which has caused impairment in the Jackson Blue Spring and Merritts Mill Pond within the Chipola River Basin. Furthermore, upon paragraph 62-302.531(2)(a), F.A.C., becoming effective, this nutrient TMDL will constitute a site specific numeric interpretation of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C.

SUMMARY: The TMDL addresses certain nutrient impairments in the Chipola River Basin. Specifically, the TMDL rule being proposed for adoption is for Jackson Blue Spring and Merritts Mill Pond. These waterbodies were verified as impaired for nutrients using the methodology

established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The proposed nitrate target of 0.35 mg/L was set to meet the nutrient criterion. This rulemaking has been given OGC Case Number 13-0052.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

While Section 120.541, F.S., does not necessitate the preparation of a SERC in such instance, the Department has chosen to prepare a SERC for the proposed TMDL to assist in the determination of whether any costs are incurred as a result of the TMDL, and if so, how much.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Hicks, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3575, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8229. For the 21 day period after this notice, the Department will accept written comments on the establishment of this nutrient TMDL as a site specific interpretation of the narrative nutrient criterion. Written comments should be directed to Richard Hicks at the address above

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.315 Chipola River Basin TMDLs.

(1) Otter Creek. The fecal coliform total maximum daily load (TMDL) for Otter Creek is 400 counts/100mL, and is allocated as follows:

~~(a)(+)~~ The Waste load Allocation (WLA) for wastewater sources is not applicable;

~~(b)(2)~~ The WLA for discharges subject to the Department’s National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program is not applicable;

~~(c)(3)~~ The Load Allocation (LA) for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 35 percent reduction of sources contributing to exceedances of the criteria; and

~~(d)(4)~~ The Margin of Safety is implicit.

~~(e)(5)~~ While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(2) Jackson Blue Spring and Merritts Mill Pond. The nitrate TMDL is an in-stream monthly mean concentration of 0.35 mg/L and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is not applicable.

(c) The Load Allocations for nonpoint sources are to address anthropogenic sources in the basin such that in-stream nitrate concentrations meet the TMDL target, which, based on the mean concentrations from the 2000-2011 period, will require a 90 percent reduction of nitrate.

(d) The Margin of Safety is implicit.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 10-15-09, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 23, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.640
RULE TITLE: Withlacoochee Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt a Total Maximum Daily Load (TMDL) and its allocation for nutrients, which has caused impairment in the Rainbow Springs Group and the Rainbow Springs Group Run within the Withlacoochee River Basin. Furthermore, upon paragraph 62-302.531(2)(a), F.A.C., becoming effective, this nutrient TMDL will constitute a site specific numeric interpretation of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C.

SUMMARY: The TMDL addresses certain nutrient impairments in the Withlacoochee Basin. Specifically, the TMDL rule being proposed for adoption is for the Rainbow Springs Group and the Rainbow Springs Group Run. These waterbodies were verified as impaired for nutrients using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The proposed nitrate target of 0.35 mg/L was set to meet the nutrient water quality criterion. This rulemaking has been given OGC Case Number 13-0053.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

While Section 120.541, F.S., does not necessitate the preparation of a SERC in such instance, the Department has chosen to prepare a SERC for the proposed TMDL to assist in the determination of whether any costs are incurred as a result of the TMDL, and if so, how much.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Richard Hicks, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3575, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8229. For the 21 day period after this notice, the Department will accept written comments on the establishment of this nutrient TMDL as a site specific interpretation of the narrative nutrient criterion. Written comments should be directed to Richard Hicks at the address above.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.640 Withlacoochee Basin TMDLs.

(1) Rainbow Springs Group and Rainbow Springs Group Run. The nitrate TMDL is an in-stream monthly mean concentration of 0.35 mg/L and is allocated as follows:

(2) The Wasteload Allocation (WLA) for wastewater sources is not applicable.

(3) The WLA for discharges subject to the Department’s National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream nitrate concentrations meet the TMDL target, which, based on the mean concentrations from the 2000-2010 period, will require a 82 percent reduction of nitrate.

(4) The Load Allocations for nonpoint sources are to address anthropogenic sources in the basin such that in-stream nitrate concentrations meet the TMDL target, which, based on the mean concentrations from the 2000-2011 period, will require a 82 percent reduction of nitrate.

(5) The Margin of Safety is implicit.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 23, 2011

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-3.001	Fees
64E-3.003	Qualifications for Examination
64E-3.007	Bone Densitometry
64E-3.034	Specialty Technologists

PURPOSE AND EFFECT: To implement Chapter 2012-168, L.O.F., to include new specialty technologist categories and amend rule language as necessary to ensure that all rules conform to statutory requirements and the current practices and procedures for radiological personnel.

SUMMARY: Creates three new specialty technologist license types: Computed Tomography, Mammography, and Magnetic Resonance Imaging. Revises application forms, and specifies application procedures, national organizations, required documents, titles, initials, and duties for the new license types. Revises bone densitometry provisions to conform to the new license types. Deletes obsolete fee provisions and corrects statutory references.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rulemaking implements Chapter 2012-168 to create new specialty technologist licensure and also deletes obsolete fee provisions and corrects statutory citation references. The department's analysis of the potential adverse impact and potential regulatory costs of the proposed rule did not exceed the criteria for a SERC established in Section 120.541(2)(a), F.S. As part of this analysis, the department relied upon its own experiences with other rulemaking and licensure of this type; the legislative bill analysis of CS/HB309 which became Chapter 2012-168, L.O.F. and which indicated a maximum of \$28,000 revenue collected in each of the first and second years, as well as minimal regulatory costs; the fact that the new license types are issued to individuals not small businesses; the fact that existing technologists currently working in the areas of the new licensure are not required to obtain the new licensure; and the expertise and experience of the members of the state Advisory Council on Radiation Protection, made up of members representing the radiologic technology profession and various other radiation-related professions, which supported the new law and this rulemaking. This rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 381.0034, 468.302, 468.303, 468.304, 468.305, 468.306, 468.3065, 468.307(1), 468.309, 468.3095, 468.3101(4), (6) FS.

LAW IMPLEMENTED: 381.0034, 468.3003, 468.301, 468.302, 468.303, 468.304, 468.305, 468.306, 468.3065, 468.307, 468.309, 468.3095, 468.3101, 468.314 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Brenda Andrews, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266, Brenda_Andrews@doh.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-3.001 Fees.

The following fees are prescribed by the department:

(1) through (4) No change.

(5) The fee for renewal provided in Section 468.309(1), Florida Statutes, is 55 dollars for one certification category and 40 dollars for each additional certification category. ~~The department will prorate the renewal fee for certificates expiring December 31, 1999 and December 31, 2000 to establish certificate expiration dates coinciding with the last day of the birth month of the certificateholder.~~

(6) through (8) No change.

~~(9) The fee for listings and mailing labels of radiologic technologists, is \$0.05 for each name and \$55.00 for each setup.~~

~~(10) For a study guide as provided in Section 468.304(4), Florida Statutes, 25 dollars.~~

Rulemaking Specific Authority 468.303, 468.3065, 468.309 FS. Law Implemented 119.07(4)(+)(b), 455.587(6), 468.304, 468.306, 468.3065, 468.309, 468.3095 FS. History—New 10-1-84, Formerly 10D-74.40, Amended 3-21-88, 9-17-92, 11-6-94, Formerly 10D-74.040, Amended 10-28-99, _____.

64E-3.003 Qualifications for Examination.

(1) An applicant for certification as a Basic X-ray Machine Operator or Basic X-ray Machine Operator – Podiatric Medicine shall submit an application to the department on Form DH 1006, 10/09, “Application for Basic X-ray Machine Operator or Basic X-ray Machine Operator – Podiatric Medicine,” incorporated herein by reference and which can be obtained from the internet at _____ or http://www.doh.state.fl.us/mqa/rad-tech. Applicants for all other types of certification under this Chapter shall submit an application to the department on Form DH 1005, ~~10/12 10/09~~, “Application for Radiologic Technology Certification General Radiographer, Nuclear Medicine Technologist, Radiation Therapy Technologist, or Radiologist Assistant,” which is incorporated herein by reference and which can be obtained from the internet at _____ or http://www.doh.state.fl.us/mqa/rad-tech. All applicants must meet the qualifications prescribed by Section 468.304, F.S.

(a) through (d) No change.

(2) through (3) No change.

(4) All documents incorporated herein may be obtained from the department at 4052 Bald Cypress Way, Bin #C85, Tallahassee, FL 32399-3252, or WWW.DOH.STATE.FL.US/MQA/RAD-TECH or _____.

(5) No change.

Rulemaking Authority 381.0034, 468.303 FS. Law Implemented 381.0034, 468.304 FS. History—New 4-10-85, Formerly 10D-74.43, Amended 3-21-88, 9-17-92, Formerly 10D-74.043, Amended 3-4-08, 2-18-10, _____.

64E-3.0034 Specialty Technologists.

(1) An applicant for specialty technologist certification shall submit an application to the department as specified in Rule 64E-3.003, F.A.C., and pay the required fee for endorsement.

(2) The following are approved as national organizations for certain advanced, post-primary or specialty areas of radiologic technologist certification, and for the technologists’ duties (also known as practice standards). In all cases, proof of current certification by a national organization shall be an unexpired wallet card bearing the organization’s name, the applicant’s name and the applicant’s area of certification:

(a) National Organizations for Computed Tomography, Mammography, and Magnetic Resonance Imaging.

1. The American Registry of Radiologic Technologists (ARRT) for the Computed Tomography (CT), Mammography (M), and Magnetic Resonance Imaging (MR) areas of certification.

2. The American Society of Radiologic Technologists (ASRT) for the respective CT, M, and MR practice standards.

(3) The title, initials and duties for specialty technologists certified by the department are as follows.

(a) Computed Tomography.

1. For a person who is currently registered by the ARRT in Computed Tomography, the title is Certified Radiologic Technologist – Computed Tomography (CT) and the initials are CRT-CT.

2. The duties of the CRT-CT are those contained in the June 19, 2011 ASRT “Computed Tomography Practice Standards,” which is incorporated herein by reference and which can be obtained from the internet at _____ or http://www.doh.state.fl.us/mqa/rad-tech.

(b) Mammography.

1. For a person who holds current registration from the ARRT in Mammography, the title is Certified Radiologic Technologist – Mammography (M) and the initials are CRT-M.

2. The duties of the CRT-M are those contained in the June 19, 2011, ASRT “Mammography Practice Standards,” which is incorporated herein by reference and which can be obtained from the internet at _____ or http://www.doh.state.fl.us/mqa/rad-tech.

(c) Magnetic Resonance Imaging.

1. For a person who holds current registration from the ARRT in Magnetic Resonance Imaging, the title is Certified Radiologic Technologist – Magnetic Resonance Imaging (MR) and the initials are CRT-MR.

2. The duties of the CRT-MR are those contained in the June 19, 2011, ASRT “Magnetic Resonance Imaging Practice Standards,” which is incorporated herein by reference and which can be obtained from the internet at _____ or http://www.doh.state.fl.us/mqa/rad-tech.

Rulemaking Authority 468.302, 468.303 FS. Law Implemented 468.302(2)(h), (3)(i) FS. History--New

64E-3.007 Bone Densitometry.

All active certificateholders except basic x-ray machine operators-podiatry, nuclear medicine technologists, magnetic resonance imaging technologists, and radiation therapy technologists may perform bone densitometry procedures with dedicated bone densitometers which use machine-produced radiation after completing a device-specific training program. All active radiation therapy technologists and nuclear medicine technologists may perform bone densitometry procedures with dedicated bone densitometers which use radioactive material after completing a device-specific training program.

Rulemaking Specific Authority 468.303 FS. Law Implemented 468.302(3)(d), (g) FS. History--New 9-17-92, Formerly 10D-74.0471, Amended 3-4-08,

NAME OF PERSON ORIGINATING PROPOSED RULE: Cynthia Becker, Bureau Chief, Bureau of Radiation Control
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: John H. Armstrong, MD, FACS, Surgeon General & Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 27, 2012

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03030
 RULE TITLE: Special Programs for Children Birth Through Two Years Old who have Established Conditions

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. 39, No. 9, January 14, 2013 issue of the Florida Administrative Register.

Subsections (2) and (3) are amended to read:

(2) Criteria for eligibility. An infant or toddler with an established condition is eligible for exceptional student education when a team of qualified professionals and the parent or guardian in accordance with Rule 6A-6.0331(6), F.A.C., determine that all the following criteria are met:

(3) Continued eligibility. Continued eligibility for exceptional student education shall be determined before the child's third birthday in accordance with Rule 6A-6.03026, F.A.C.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.03031
 RULE TITLE: Special Programs for Children Birth Through Two Years Old who are Developmentally Delayed

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. 39, No. 9, January 14, 2013 issue of the Florida Administrative Register.

Subsections (2) and (3) were amended to read:

(2) Criteria for eligibility. An infant or toddler with a developmental delay is eligible for exceptional student education when a team of qualified professionals and the parent or guardian in accordance with subsection 6A-6.0331(6), F.A.C., determine that all the following criteria are met:

(3) Continued eligibility. Continued eligibility for exceptional student education shall be determined before the child's third birthday in accordance with Rule 6A-6.03026, F.A.C.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-12.011
 RULE TITLE: Definitions

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. 38, No. 95, December 20, 2012 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. All references to the word "tunnels" are being removed from Subsection (9)
2. Section 489.103(1) is being added to the Rulemaking Authority and Law Implemented citations.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Drew Winters, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32399-5257

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: 61G20-1.002
 RULE TITLE: Alternative Design Method for Screen Enclosures
 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. 38, No. 83, December 4, 2012 issue of the Florida Administrative Register.

61G20-1.002 Alternative Design Method for Screen Enclosure.

(1) The purpose of this Rule is to provide an alternate method for designing aluminum screen enclosures as defined by the Florida Building Code, permitting the loads of the structural frame to be based on portions of the screen in the screen walls removed, retracted, moved to the open position, or cut. The use of framing materials other than aluminum is allowed in accordance with section 104.11 of the Florida Building Code, Building Volume, incorporated herein by reference, effective August 2011. The method applies only to walls and roofs with 100% screen. The provisions of Chapter 1 of the Florida Building Code, Building Volume, shall govern the administration and enforcement of this Rule.

a. Screen enclosure frames designed in accordance with the screen removal alternates of this rule, shall be designed using signed and sealed site-specific engineering and shall be designed in accordance with the wind load provisions of the Florida Building Code, Section 1609.1.1, incorporated herein by reference, as adopted in Rule 61G20-1.001, F.A.C.

b. Designs that consider these screen alternates shall comply with Florida Building Code, Building Volume, Section 2002.4 and Table 2002.4, incorporated herein by reference, as adopted in Rule 61G20-1.001, F.A.C., using the 110 mph column as modified by Table 2002.4A, incorporated herein by reference, as adopted in Rule 61G20-1.001, F.A.C., with all screen panels in place.

c. Designs using strength design or load and resistance factor design in accordance with the Florida Building Code, Building Volume, Section 1605.2, incorporated herein by reference, as adopted in Rule 61G20-1.001, F.A.C., or allowable stress design methods of the Florida Building Code, Building, Section 1605-5.3.1 incorporated herein by reference, as adopted in Rule 61G20-1.001, F.A.C., shall be permitted.

- d. No change.
- (2) No change.

(3) Where screen enclosures designed in accordance with the screen removal alternates of this rule serve as the barrier required by the Florida Building Code at Sections 424.2.17 and R4101.17.1, incorporated herein by reference, as adopted in

Rule 61G20-1.001, F.A.C., the required minimum height of the barrier shall be maintained when screen panels are retracted, removed, moved to the open position, or cut.

- (4) through (8) No change.

Rulemaking Authority Chapter 2012-13, Section 19, Laws of Florida, 553.76, 553.77 FS. Law Implemented Chapter 2012-13, Section 19, Laws of Florida, 553.76, 553.77 FS.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: 61G20-4.001
 RULE TITLE: Procedures
 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. 38, No. 66, November 6, 2012 issue of the Florida Administrative Register.

61G20-4.001 Procedures.

- (1) through (6) no change.

Form FBC 2012-01, "Request for Waiver," effective October 2012 is amended as follows:

Page 7, "Certification of Applicant" shall read:

I hereby declare that the applicable documents in support of this Request for Waiver are attached for review by the Florida Building Commission and that all statements made in this application are to the best of my knowledge true and correct.

Dated this _____ day of _____, 20____

 Signature

 Printed Name

I understand that if I falsify, misrepresent, or omit any material information on this document, the Commission may revoke any order and will notify the building official of the permitting jurisdiction.

KNOWINGLY MAKING A FALSE STATEMENT IN WRITING WITH THE INTENT TO MISLEAD A PUBLIC SERVANT IN THE PERFORMANCE OF HIS OFFICIAL DUTY IS A MISDEAMEANOR OF THE SECOND DEGREE PURSUANT TO SECTION 837.06 F.S. AND SECTION 775.083, F.S.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-4.003
 RULE TITLE: Application Fee for Licensure by Endorsement

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. 38, No. 88, December 11, 2012 issue of the Florida Administrative Register.

The change is in response to a vote by the Board at a public meeting on February 7, 2013, in Jacksonville, Florida. The changes are as follows:

1. The rule shall now read as follows:

64B4-4.003 Application Fee for Licensure by Endorsement.

The application fee for licensure by endorsement, which shall be submitted with each application for endorsement, shall be \$100.

Rulemaking Authority 491.004(5), 491.006(1) FS. Law Implemented 491.006 FS. History—New 4-3-89, Formerly 21CC-4.003, 61F4-4.003, 59P-4.003, Amended 10-9-00,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: 73B-11.023
RULE TITLE: Offset of Tax Refund Payments to Collect Reemployment Assistance Debts Owed to the Florida Unemployment Trust Fund Pursuant to 31 C.F.R. 285.8

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 15, January 23, 2013 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-5.001
RULE TITLE: Safety Standards

NOTICE IS HEREBY GIVEN that on February 18, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Ponce de Leon Hall. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.7.1. 2.7.1.1, 2.7.1.1.2, 2.7.1.2, 2.7.1.2.1, and 110.1 and 61C.5.009 as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators enclosure of rooms and spaces, fire-resistive construction, non-fire-resistive construction entrances and emergency door required and venting of hoistways 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 (VW2013-057).

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.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-13.0045
RULE TITLE: Continuing Education Course Required for Initial Licensure, Renewal, or Reactivation

NOTICE IS HEREBY GIVEN that on February 18, 2013, the Board of Chiropractic Medicine, received a petition for Jonathan D. Lavelle. The petitioner is seeking a waiver or variance of subsection 64B2-13.0045(5), Florida Administrative Code, 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.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bill Miller, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-13.004
RULE TITLE: Continuing Education

NOTICE IS HEREBY GIVEN that on February 18, 2013, the Board of Chiropractic Medicine received a petition for Lyle W. Grenz, D.C. Petitioner is seeking a waiver or variance of subsection 64B2-13.004(1), Florida Administrative Code, which requires that for the purpose of renewing a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing chiropractic education during the past two years, of which at least three hours shall be in the area of risk management. Two

of these three risk management hours shall specifically relate to the laws and rules of the board and the regulatory agency under which the Board operates. For the purpose of this rule, risk management means the identification, investigation, analysis, and evaluation of risks and the selection of the most advantageous method of correcting, reducing or eliminating identifiable risks. The laws and rules of the Board and the regulatory agency under which the Board operates include Chapters 456 and 460, F.S., and Rule Title 64B2, F.A.C. Petitioner is also seeking a waiver or variance from subsection 13.004(2), Florida Administrative Code, which requires that only those classroom hours earned at Board approved continuing education courses or under the provisions of this rule are acceptable. Six (6) hours of the forty (40) shall be in the area of record keeping/documentation and coding; and two (2) hours of the forty (40) must be in the area of ethics and boundaries.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bill Miller, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009: Applications

NOTICE IS HEREBY GIVEN that on February 19, 2013, the Board of Medicine, received a petition for waiver filed by James Dennemeyer, M.D., from Rule 64B8-4.009, 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-3.001: Licensure as a Physical Therapist by Examination

The Board of Physical Therapy hereby gives notice: of an Order regarding the Petition for Variance or Waiver for Preeti S. Jha, filed on July 10, 2012. The Notice of Petition for Variance and Waiver was published in Volume 38, No. 29, of the July 20, 2012, Florida Administrative Register. The Board

considered the Petition at a duly-noticed public meeting held on August 3, 2012. The Petitioner was seeking a permanent variance or waiver of Rule 64B17-3.001, Florida Administrative Code, with regards to the requirement that foreign graduates have received a determination that the credentials are equivalent to education required for licensure as a physical therapist in the United States as determined by the Foreign Credentialing Commission on Physical Therapy.

The Board's Order, filed on September 4, 2012, grants the Petition for Variance or Waiver. The Petitioner has demonstrated that the Petition for Variance and Waiver was in substantial compliance with the provisions of Section 120.542, Florida Statutes, and Chapter 28-104, Florida Administrative Code. Petitioner has demonstrated that the purpose of the underlying statute has been met. Further, Petitioner has demonstrated that application of the rule would cause a substantial hardship and would violate the principles of fairness.

A copy of the Order or additional information may be obtained by contacting Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3255.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

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

DATE AND TIME: March 18, 2013, 1:00 p.m. - 2:30 p.m.

PLACE: Monroe Street Conference Center, 2714 Graves Road, Tallahassee, Florida 32303.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Propane Gas Education, Safety and Research Council and representatives of the Florida Department of Agriculture and Consumer Services to discuss and review council programs and budget issues.

A copy of the agenda may be obtained by contacting: Ms. Tianna Baity, Bureau of LP Gas Inspection at (850)921-1609.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Lisa Bassett, (850)921-1600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Lisa M. Bassett, Chief, Bureau of LP Gas Inspection, 3125 Conner Blvd., Suite E, Tallahassee, FL 32399-1650, (850)921-1600.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

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

DATE AND TIME: March 18, 2013, 3:30 p.m. - 4:30 p.m.

PLACE: Monroe Street Conference Center, 2714 Graves Road, Tallahassee, Florida 32303.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Liquefied Petroleum Gas Advisory Board to discuss industry-related issues.

A copy of the agenda may be obtained by contacting: Ms. Tianna Baity, Bureau of LP Gas Inspection, (850)921-1606.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Lisa Bassett, (850)921-1600. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Lisa M. Bassett, Chief, Bureau of LP Gas Inspection, 3125 Conner Blvd., Suite E, Tallahassee, FL 32399-1650 (850)921-1600.

DEPARTMENT OF EDUCATION

State Board of Education

The Department of Education, Charter School Appeal Commission announces hearings to which all persons are invited.

DATES AND TIMES: March 4, 2013, 10:30 a.m. – completion; March 5, 2013, 10:30 a.m. – completion.

PLACE: 325 W. Gaines Street, Conference Room 1703, Tallahassee, Florida 32399-0400.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission will hear the Application denials of the following schools:

- Pivot Charter School vs. Palm Beach County School Board
- Florida High School for Accelerated Learning West Palm Beach Campus, Inc., On behalf of Schools II and III vs. Palm Beach County School Board
- Florida Futures Academy, West Palm Beach Campus vs. Palm Beach County School Board
- Florida Futures Academy, Riviera Beach Campus vs. Palm Beach County School Board

Innovations Charter School of Eastern Lee vs. Lee County School Board

Innovations Charter School of Western Lee vs. Lee County School Board

Innovations Charter School of DeSoto vs. DeSoto County School Board

A copy of the agenda may be obtained by contacting: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 W. Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400, (850)245-0502.

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 1 day before the workshop/meeting by contacting: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 W. Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Florida Department of Education, Attn: Jacqueline Hitchcock, 325 W. Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400, (850)245-0502.

DEPARTMENT OF ELDER AFFAIRS

Statewide Public Guardianship Office

The Department of Elder Affairs announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 14, 2013 12:30 noon - 1:30 p.m. EST

PLACE: Conference call: (888)670-3525, conference code 7919129022#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Ms. Erika Burgess at (850)414-2381.

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 72 days before the workshop/meeting by contacting: Ms. Erika Burgess at (850)414-2381. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 12, 2013, 10:00 a.m. or soon thereafter.

PLACE: Conference call (888)670-3525, conference code 2938723619.

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness committee meeting of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

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 7 days before the workshop/meeting by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, March 13, 2013, 12:00 noon; Thursday, March 14, 2013, 8:00 a.m.; Friday, March 15, 2013, 8:00 a.m. or soon thereafter.

PLACE: Embassy Suites Tampa/USF, 3705 Spectrum Blvd., Tampa, Florida 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, disciplinary and committee meetings of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

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 7 days before the workshop/meeting by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL

32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Board of Accountancy announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 11, 2013, 2:30 p.m. until all business is concluded.

PLACE: Conference call, dial in number (888)670.3525, pass code number 9801392456#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Budget Task Force will meet to discuss the board's quarter financials.

A copy of the agenda may be obtained by contacting: June Carroll, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, FL 32607.

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: June Carroll, Board of Accountancy, 240 NW 76th Drive, Suite A, Gainesville, FL 32607. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact: June Carroll.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Board of Accountancy announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, March 20, 2013, 9:00 a.m., until all business is concluded

PLACE: Conference call, dial in number (888)670-3525, pass code number 9801392456#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Board of Accountancy 240 NW 76th Drive, Suite A, Gainesville, FL 32607.

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: June Carroll. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

For more information, you may contact: June Carroll.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, in conjunction with the Florida Fish and Wildlife Conservation Commission, announces a public meeting to which all persons are invited.

DATE AND TIME: February 26, 2013, 12:00 Noon – 1:00 p.m. (Eastern)

PLACE: <https://www2.gotomeeting.com/register/727220354>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission will host a webinar to give an update on the Gulf Coast Ecosystem Restoration Council (Council) and to discuss the State's five priority areas for projects that will be submitted by the State to the Council for consideration for inclusion in the initial Comprehensive Plan.

A copy of the agenda may be obtained by contacting: Kendra Parson, Gulf Coast Public Affairs Manager, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, (850)245-2197, Kendra.Parson@dep.state.fl.us.

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 5 days before the workshop/meeting by contacting: Kendra Parson, Gulf Coast Public Affairs Manager, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, (850)245-2197, Kendra.Parson@dep.state.fl.us.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Kendra Parson, Gulf Coast Public Affairs Manager, 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, (850)245-2197, Kendra.Parson@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Communities Trust Governing Board announces a public meeting to which all persons are invited.

DATE AND TIME: March 14, 2013, 10:00 a.m., until business is concluded

PLACE: Call in number (888)670-3525, code number 7020742991; or, Department of Environmental Protection, 3800 Commonwealth Blvd., Carr Bldg. Room 170, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FCT Governing Board will consider issues relating to the project plan approval of Cypress Creek, petition for rule waiver filed by Manatee County, potential amendments to Rule 62-815.013, and any other business the Board may deem necessary.

A copy of the agenda may be obtained by contacting: Lynda Godfrey, Division of State Lands at (850)245-2669 or Lynda.Godfrey@dep.state.fl.us.

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 5 days before the workshop/meeting by contacting: Lynda Godfrey, Division of State Lands, at (850)245-2669 or Lynda.Godfrey@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Lynda Godfrey, Division of State Lands at (850)245-2669 or Lynda.Godfrey@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Division of Air Resource Management announces a hearing to which all persons are invited.

DATE AND TIME: April 2, 2013, 1:00 p.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, 2600 Blairstone Road, Room 195, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to 40 CFR 51.102, the Department of Environmental Protection (DEP) announces an opportunity to offer comments or request a public hearing on an amendment to the proposed lead (Pb) nonattainment area plan, originally submitted to the

Environmental Protection Agency (EPA) on June 29, 2012, for the Pb nonattainment area located in Hillsborough County that is centered on a lead recycling facility. The previously submitted nonattainment plan incorporated the facility's 2009 federally enforceable air construction permit that provided for the complete modernization of the facility and the implementation of a variety of top level controls and emission limits associated with lead recycling. The construction permit was modified in 2012 to better ensure compliance with the 2012 National Emissions Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 63, Subpart X – Secondary Lead Smelting. DEP is now amending its previously submitted proposed nonattainment plan to incorporate the modifications provided for in the 2012 construction permit and to include a base year Pb emissions inventory and contingency measures. A public hearing will be held, if requested, at the date, time, and place given above. It is not necessary that the hearing be held or attended in order for persons to comment on DEP's proposed submittal to EPA. Any request for a public hearing must be submitted by letter or e-mail to Marnie Brynes, Department of Environmental Protection, Division of Air Resource Management, 2600 Blairstone Road, MS #5500, Tallahassee, Florida 32399-2400, Marnie.Brynes@dep.state.fl.us by March 25, 2013. Any comments must be submitted by letter or e-mail to Will Sexton at the above address or Will.Sexton@dep.state.fl.us, with a copy to Ms. Brynes, by March 25, 2013. If no request for a public hearing is received, the hearing will be cancelled, and notice of the cancellation will be posted at the following website: <http://sharepoint.dep.state.fl.us/PublicNotices/default.aspx>.

Persons may also contact Ms. Brynes at (850)717-9029 to find out if the hearing has been cancelled. The materials comprising DEP's proposed SIP revision are accessible at <http://www.dep.state.fl.us/air/rules/regulatory.htm> or from the above website by clicking on the April 2, 2013 hearing link. The materials may also be inspected during normal business hours at the DEP, Division of Air Resource Management office, 2600 Blairstone Road, Tallahassee, Florida, or accessed with the aid of any DEP District Air Section or DEP-approved local air pollution control office.

A copy of the agenda may be obtained by contacting: Mr. Sexton by letter or e-mail sent to the above addresses, or by calling (850)717-9016.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Brynes at (850)717-9029 or Marnie.Brynes@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Mr. Sexton by letter or e-mail, or by calling (850)717-9016.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-11.001: Definitions

65G-11.002: Wait List Prioritization Criteria

65G-11.003: Wait List Prioritization Procedure

The Agency for Persons with Disabilities announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 4, 2013, 1:00 p.m. – 5:00 p.m., E.S.T.

PLACE: Capital Circle Office Center, 2450 Shumard Oak Boulevard, Tallahassee, FL Building 1, Room 1820

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to continue discussion on the Waitlist Prioritization for individuals waiting to receive home and community based services waivers. The meeting will focus on final recommendations obtained at the previous public meeting held on February 18, 2013 regarding the prioritization of the waitlist categories as defined in Section 393.065(5), Florida Statutes.

A copy of the agenda may be obtained by contacting: Edith Washington at (850)414-6452, or by emailing to edith_washington@apd.state.fl.us.

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: Edith Washington at (850)414-6582. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

The Fish and Wildlife Conservation Commission, in conjunction with the Florida Department of Environmental Protection, announces a public meeting to which all persons are invited.

DATE AND TIME: February 26, 2013, 12:00 Noon – 1:00 p.m. (Eastern).

PLACE: <https://www2.gotomeeting.com/register/727220354>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Environmental Protection and Florida Fish and Wildlife Conservation Commission will host a webinar to give an update on the Gulf Coast Ecosystem Restoration Council (Council) and to discuss the State's five

priority areas for projects that will be submitted by the State to the Council for consideration for inclusion in the initial Comprehensive Plan.

A copy of the agenda may be obtained by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, Doc.Kokol@myfwc.com.

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 5 days before the workshop/meeting by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, Doc.Kokol@myfwc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, Doc.Kokol@myfwc.com.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

The Fish and Wildlife Conservation Commission, in conjunction with the Department of Environmental Protection, announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2013, 6:00 p.m. (Central).

PLACE: Gulf Coast State College, Student Union East Conference, 5320 W. U.S. 98, Panama City, FL 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fish and Wildlife Conservation Commission (FWC) and the Florida Department of Environmental Protection (DEP) will host a public meeting to gather public input on the Gulf Coast Ecosystem Restoration Council's Path Forward document. DEP and FWC will also be discussing the State's five priority areas for projects and will seek input on projects the public would like the State to submit to the Gulf Coast Ecosystem Restoration Council for consideration for inclusion in the initial Comprehensive Plan.

A copy of the agenda may be obtained by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399; (850)488-4676, email Doc.Kokol@myfwc.com.

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 5 days before the workshop/meeting by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399; (850)488-4676, email Doc.Kokol@myfwc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399; (850)488-4676, email Doc.Kokol@myfwc.com.

GULF CONSORTIUM

The Gulf Consortium announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2013, 1:00 p.m. – 4:00 p.m. Central Time.

PLACE: Gulf Coast State College, Student Union East Conference Center, Second Floor, 5230 W. U.S. 98, Panama City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Mimi Drew, Governor Scott's representative on the Gulf Restoration Council, will provide an update on the Council's activities. Additional business items will be discussed and considered.

A copy of the agenda may be obtained by contacting: Doug Darling at DDarling@fl-counties.com, (850)922-4300 or at this link: <http://www.fl-counties.com/advocacy/hot-topics/restore-act>.

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: Doug Darling at DDarling@fl-counties.com, (850)922-4300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The Orange County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: March 14, 2013, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

DISABILITY RIGHTS FLORIDA

The Disability Rights Florida announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 21, 2013, 9:00 a.m.

PLACE: Hilton Garden Inn – Tallahassee Central, 1330 Blair Stone Road, Tallahassee, FL 32301, (850)893-8300

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disability Rights Florida, Florida's Protection & Advocacy Programs Quarterly Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Paige Morgan, (850)488-9071, ext. 9721 or (800)342-0823.

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 7 days before the workshop/meeting by contacting: Disability Rights Florida, 2728 Centerview Drive, Suite 102, Tallahassee, FL 32301; (800)342-0823, (800)346-4127(TDD). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Paige Morgan, (850)488-9071, ext. 9721 or (800)342-0823.

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center Operational Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 7, 2013, 1:30 p.m. – 3:30 p.m.

PLACE: Northwood Shared Resource Center, 1940 N. Monroe Street, CR2020, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: NSRC Metrics Methodology Review, Review of NSRC Test Plan.

A copy of the agenda may be obtained by contacting: monica.cash@nsrc.myflorida.com.

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: Monica Cash, (850)921-4479. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center Finance & Auditing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 8, 2013, 8:00 a.m. – 10:00 a.m.

PLACE: Department of Juvenile Justice, 2737 Centerview Drive, CR1134, Tallahassee, Florida 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of SOP's, NSRC Cash Position & RFQ (Cost Allocation) Update.

A copy of the agenda may be obtained by contacting: monica.cash@nsrc.myflorida.com.

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: Monica Cash, (850)921-4479. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

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

CENTER FOR INDEPENDENT LIVING OF SOUTH FLORIDA, INC.

The Center for Independent Living of South Florida announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, March 30, 2012, 12:00 Noon – 2:00 p.m.

PLACE: 6660 Biscayne Boulevard, Miami, FL 33138

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Board of Directors of the Center for Independent Living of South Florida, Inc. The Finance Committee and other ad hoc committees will meet 11:00 a.m. – 12:00 Noon, prior to the Board Meeting.

If alternative format (Braille, large print, electronic or audiotape), ASL interpreter, or other accommodation is required, please request at least 14 days in advance of the meeting date. RSVP to: Mary@soflacil.org or call: (305)751-8025, (TDD) (305)751-8891.

A copy of the agenda may be obtained by contacting: Mary@soflacil.org or call (305)751-8025, ext. 110.

CITIZENS PROPERTY INSURANCE CORPORATION

The Actuarial & Underwriting Committee of Citizens Property Insurance Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 5, 2013, 8:00 a.m.

PLACE: Conference call: (866)361-7525, conference ID: 8632017402#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Actuarial & Underwriting Committee.

A copy of the agenda may be obtained by contacting Connie Bryan at (904)208-7238, or found on the corporate website at: www.citizensfla.com.

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 5 days before the workshop/meeting by contacting: Connie Bryan at (904)208-7238. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

CITIZENS PROPERTY INSURANCE CORPORATION

The Claims Committee of Citizens Property Insurance Corporation announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 8, 2013, 10:00 a.m.

PLACE: Conference call (866)361-7525, conference ID: 5219676193#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Claims Committee.

A copy of the agenda may be obtained by contacting Connie Bryan at (904)208-7238, or found on the corporate website at: www.citizensfla.com.

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 5 days before the workshop/meeting by contacting Connie Bryan at (904)208-7238. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

CITIZENS PROPERTY INSURANCE CORPORATION

The Market Accountability Advisory Committee of Citizens Property Insurance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: March 21, 2013, 10:30 a.m.

PLACE: Orlando-Orange County Expressway Authority, 4974 ORL Tower Road, Orlando, FL 32807, dial-in: (866)361-7525, conference ID 7849939192#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business before the Market Accountability Advisory Committee.

A copy of the agenda may be obtained by contacting: Connie Bryan at (904)208-7238, or found on the corporate website at: www.citizensfla.com.

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 5 days before the workshop/meeting by contacting: Connie Bryan at (904) 208-7238. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Aaron R. Cohen, Esq., In Re: Grandview Palace Condominium Association, Inc., Docket No. 2013006592, filed on February 15, 2013. The petition seeks the agency's opinion as to the applicability of section 718.301(1)(g), Florida Statutes as it applies to the petitioner.

Whether the developer of Grandview Palace Condominium is holding 2% of its units for sale in the ordinary course of business to be eligible to hold a seat on the board under section 718.301(1)(g), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Edward J. Rossman, Clean Air Concepts on November 21, 2012. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 38, No. 88, of the December 11, 2012, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on January 11, 2013. The Petitioner was seeking an interpretation of Chapter 489.105, Florida Statutes, and whether Petitioner can be qualified in a specialty category or whether a sheet metal contractor's license is sufficient to perform the installation of vehicle exhaust systems described in the petition. The Board's Order, filed on February 14, 2013, issues a Declaratory

Statement that a sheet metal contractor’s license is required to perform the described vehicle exhaust system installation services.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors’ Licensing Board

NOTICE IS HEREBY GIVEN that the Electrical Contractors’ Licensing Board has issued an order disposing of the petition for declaratory statement filed by Kirschenbaum & Kirschenbaum, P.C., on behalf of Convergys Customer Management Group, Inc., on December 27, 2012. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement published on January 10, 2013, in Vol. 39, No. 07, of the Florida Administrative Register. Petition sought the Board’s interpretation of Section 489.518 (1)(b), F.S., entitled, “Alarm System Agents,” as to whether telemarketers, employed by an alarm company who will be involved in business solicitation, technical support, and consumer education of alarm systems: (1) would be required to obtain any license, certification, or registration under Chapter 489, F.S.; (2) would be considered “Alarm System Agents,” and if yes, (3) would they be required to adhere to the training requirements of Section 489.518(1)(b), F.S., for “Alarm System Agents.” The Electrical Contractors’ Licensing Board considered the Petition at its meeting held on January 18, 2013, in Fernandina Beach, Florida. The Board’s Order filed on February 8, 2013, answered the petition in the affirmative. The Board opined that the telemarketer, as described in all of the scenarios described in the petition, would be required to be licensed by the Florida Electrical Contractors’ Licensing Board and meet the requirements of Chapters 489 and 455, Florida Statutes and Rule Chapter 61G6, Florida Administrative Code. The Board also opined that the telemarketer’s employees would be required to be certified as Burglar Alarm System Agents if their duties included any of those specified in Section 489.505(25)(c), Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

University of North Florida

RFQ 13-15 Campus Architects Continuing Agreements

NOTICE TO PROFESSIONAL CONSULTANTS

Request for Qualifications

RFQ 13-15 titled

Campus Architects Continuing Agreements

The University of North Florida Board of Trustees, a public body corporate, announces that Professional Architectural Services for miscellaneous projects, each not exceeding \$2,000,000 in total budgeted construction cost, and studies,

each not exceeding \$200,000 in fees, will be required at the University of North Florida, 1 UNF Drive, Jacksonville, FL 32224.

Projects included in the scope of this agreement will be for renovations, alterations and additions that have a basic construction budget estimate of \$2,000,000 or less, or for studies of which the fee for professional services is \$200,000 or less. The University plans on awarding three Campus Service Agreements for these projects. The awarded consultants will be available on an as-needed only basis. The consultants receiving the award will not have an exclusive contract to perform services for these projects. The University may have additional campus service professionals under contract during the same time period. The initial agreement period shall be for one year beginning July 1, 2013 through June 30, 2014 with an option to renew for up to two additional one-year renewal periods, upon the agreement of both parties.

The preliminary schedule for this RFQ:

Advertisement/posted to website	February 21, 2013
Non-mandatory presubmittal conference	March 5, 2013
Submissions due	March 25, 2013, 2:00 p.m.
Evaluation	April 2013
Interviews/Award	April/May 2013
Instructions	

Firms wishing to apply for consideration shall submit a Letter of Application/Interest with the appropriate documents from RFQ #13-15 titled Campus Architects Continuing Agreements.

The Letter of Application should have attached:

1. The most recent version of the "Professional Qualifications Supplement," completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

3. Six complete copies of the above requested data bound and in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

Minority business participation is strongly recommended and supported by the University of North Florida.

Blanket professional liability insurance will be required for this project in the amount of \$2,000,000 and will be provided as part of the Basic Services (each, aggregate and per occurrence).

As required by §287.133, Fla. Stat., a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplemental forms, descriptive project information and selection criteria may be obtained online at the UNF Purchasing department website at <http://www.unf.edu/anf/purchasing/>.

Submit one original and five complete copies of submittals to the above referenced address. RFQ submittals must be received no later than 2:00 p.m. Eastern Standard Time on March 25, 2013. Facsimile (fax) or email submittals are not acceptable and will not be considered.

Section XII Miscellaneous

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

Public Availability of Hazardous Material Information

Pursuant to Section 324 of the Emergency Planning and Community Right-to-Know Act (EPCRA), the following information is available to the public upon request during normal working hours by the Treasure Coast Regional Planning Council's Local Emergency Planning Committee, 421 SW Camden Avenue, Stuart, FL 34994.

- Hazardous Chemical Inventory (Tier Two) Forms
- Material Safety Data Sheets (MSDS)
- Emergency Release Follow-up Reports
- Hazardous Analyses for Facilities with Extremely Hazardous Substances
- LEPC Hazardous Materials Emergency Response Plan
- How-to-Comply Information Training for First Responders
- “Are You Prepared for a Hazardous Materials Emergency?” Video and Brochure for the General Public
- Other Public Education Materials
- Your Telephone Book may contain Hazardous Materials Emergency Information that you could be asked to follow in an actual emergency

The Treasure Coast Regional Planning Council’s Local Emergency Planning Committee (Florida District 10 LEPC) serves Indian River, Martin, Palm Beach, and St. Lucie Counties. To obtain information on the above items, please contact Kathryn E. Boer at (772) 221-4060 x 24, email kboer@tcrpc.org or visit www.tcrpc.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 NOTICE OF RECEIPT OF LAND USE DETERMINATION

On January 31, 2013, the Department of Environmental Protection received a determination from Miami-Dade County that the Florida Power and Light Company Turkey Point Units 6 and 7 Power Plant Siting Application No. PA03-45A3, OGC Case No. 09-3107, DOAH Case No. 09-003575EPP, is consistent with existing local land use plans and zoning ordinances in Miami-Dade County pursuant to the Florida Electrical Power Plant Siting Act, Section 403.50665, F.S. A copy of the determination of compliance is available for review in the office of Cindy Mulkey, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2002.

Specifically, Miami-Dade County issued a determination that, subject to compliance with all applicable zoning resolutions, Turkey Point Units 6 & 7 and associated non-transmission facilities are consistent with the County’s Comprehensive

Development Master Plan, local zoning ordinances and zoning approvals, contingent upon the siting of the proposed reclaimed water treatment facility on the proposed “Alternate Site.” Miami-Dade County indicated that additional information is needed to determine the consistency of the transmission line corridors, or portions thereof, that are not within an established right-of-way with the CDMP and County Code.

Pursuant to Section 403.50665(4), F.S., if any substantially affected person wishes to dispute Miami-Dade County’s determination that the proposed Turkey Point Units 6 and 7 Power Plant is consistent with Miami-Dade County’s existing land use plans and zoning ordinances, he or she must file a petition with the Department within 21 days after the publication of notice of the local government’s determination. If a hearing is requested, a land use hearing will be consolidated with a hearing on site certification to be held in Miami-Dade County. A notice will be published as per the provisions of Section 403.5115, F.S. If the administrative law judge concludes that the proposed site is not consistent or in compliance with existing land use plans and zoning ordinances, the administrative law judge shall receive at the hearing evidence on, and address in the recommended order, any changes to or approvals or variances under the applicable land use plans or zoning ordinances which will render the proposed site consistent and in compliance with the local land use plans and zoning ordinances.

A person whose substantial interests are affected by the proposed determination of consistency may petition for an administrative hearing in accordance with Section 403.50665(4), F.S. The petition must be filed with the administrative law judge, Florida Division of Administrative Hearings, Case No. 09-3575EPP. The petition should contain: (a) The name and address of each agency affected and each agency’s file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner’s representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner’s substantial interests will be

affected by the determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact; If there are none, the petitioner shall so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the proposed action; and (g) A statement of the relief sought by the petitioner. A petition that does not dispute the material facts shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Entry of Final Orders Revising Verified Lists of Impaired Waters and Delisting of Waters

The Department of Environmental Protection, Bureau of Assessment and Restoration Support, gives notice that, pursuant to Section 403.067(4), Florida Statutes (F.S.), and Chapter 62-303, Florida Administrative Code (F.A.C.), two final orders were entered on February 12, 2013, one revising the Verified Lists of Impaired Waters for the Group 1 Basins (Ochlockonee - St Marks, Suwannee, Ocklawaha, Tampa Bay, Everglades West Coast, and Lake Okeechobee) and another amending the lists for the Group 2 Tampa Bay Tributaries and Group 4 Withlacoochee River basins. A comprehensive list of waters verified as impaired under Chapter 62-303, F.A.C., can be obtained from a link on the following webpage: <http://www.dep.state.fl.us/water/watersheds/assessment/index.htm>.

These revisions/amendments will be submitted to the United States Environmental Protection Agency (EPA) pursuant to Section 303(d) of the federal Clean Water Act and shall serve to update the previously approved Section 303(d) list of Florida waters.

A person whose substantial interests are affected by these final orders may petition for an administrative proceeding (hearing) under Section 120.569 and 120.57, F.S. The petition, which must contain the information identified in the full notice of rights language contained in the final order, must be filed (received by the clerk) in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice or within 21 days of receipt of written notice, whichever occurs first.

A copy of the above-referenced final orders may be obtained by contacting: Ms. Renee Gray, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment, MS #3560, Tallahassee, FL 32399-2400, by calling: (850)245-8346, or at: www.dep.state.fl.us/legal/final_orders/finalorders.htm.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On February 14, 2013, the State Surgeon General issued an Order of Emergency Suspension of Registration with regard to the license of Alene Lavon Thomas, RPT, License # RPT 11856. This Emergency Suspension of Registration was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On February 14, 2013, the State Surgeon General issued an Order of Emergency Suspension of Registration with regard to the license of Alene Lavon Thomas, RPT., License # RPT 11856. This Emergency Suspension of Registration was

predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On February 14, 2013, the State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Ryan Daniel Rodriguez, License # RPT 5867 This Emergency Suspension of License was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES COMMISSION

FSC – Financial Institution Regulation

Financial Institutions

A PROPOSED CHANGE IN BANK CONTROL

Notice is hereby given that pursuant to Section 120.80(3), Florida Statutes, a Public Hearing will be held on Tuesday, March 5, 2013, at 2:00 p.m., concerning the application filed

with the Florida Office of Financial Regulation by Guido E. Hinojosa Cardoso for a Certificate of Approval to Purchase or Acquire a Controlling Interest in Anchor Commercial Bank, Juno Beach, Palm Beach County, Florida (the "Bank"). In the event the proposed transaction is approved by the Florida Office of Financial Regulation and by the Board of Governors of the Federal Reserve System, the Bank will continue to transact business at its main office located at 13951 U.S. Highway 1, Juno Beach, Florida 33408.

The Public Hearing will be held at the Tallahassee offices of the Florida Office of Financial Regulation in the Fletcher Building located at 101 East Gaines Street, Tallahassee, Florida, 32399, in the sixth floor conference room (Suite #630-D) of the Division of Financial Institutions. The Hearing is open to members of the general public.

Section XIII

Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
