

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF FINANCIAL SERVICES

Division of Treasury

RULE NO.: RULE TITLE:
69C-2.033 Attestation Statement for Qualified Public
Depositories

PURPOSE AND EFFECT: This rulemaking will incorporate the Attestation Statement for Qualified Public Depositories form into rule pursuant to section 280.025, F.S.

SUBJECT AREA TO BE ADDRESSED: Statutorily required attestations required for certain financial institutions.

RULEMAKING AUTHORITY: 280.025, 280.19 FS.

LAW IMPLEMENTED: 280.02, 280.025 FS. History–New

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sarah Dugan, Bureau Chief of Collateral Management, Division of Treasury, at Sarah.Dugan@myfloridacfo.com

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

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

RULE NO.: RULE TITLE:
69U-100.323 Attestation of Compliance

PURPOSE AND EFFECT: The purpose and effect is to create a new rule and to create and incorporate Form OFR-U-323 to conform with and implement Ch. 2023-28, Laws of Florida, signed into law on May 2, 2023. The legislation requires each financial institution subject to the financial institutions codes to attest, under penalty of perjury, on a form prescribed by the commission, that the entity is acting in compliance with the newly enacted section 655.0323(1) and (2), Florida Statutes. The rule will be created to require the use of, and incorporate, the form to be used for the attestation.

SUBJECT AREA TO BE ADDRESSED: Regulation of Financial Institutions

RULEMAKING AUTHORITY: 655.0323(3)

LAW IMPLEMENTED: 655.0323(3)

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ann Michelle Palecki, (850)410-9704, annmichelle.palecki@flofr.gov

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NOS.:	RULE TITLES:
69V-160.030	Application Procedure for Consumer Finance License
69V-160.031	Consumer Finance License Renewal and Reactivation
69V-160.032	Amendments, Change of Name, Change of Entity, and Change in Control or Ownership
69V-160.039	Adoption of Forms
69V-160.111	Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose and effect is to amend existing rules to conform to and implement Chapter No. 2023-28, Laws of Florida, which was signed into law on May 2, 2023. The legislation will require applicants and licensees, beginning July 1, 2023, and upon application and license for renewal, to attest, under penalty of perjury whether the applicant or licensee is acting in compliance with newly enacted subsections 516.037(1) and (2), Florida Statutes. The amended rules will incorporate a new form, which will serve as the attestation of compliance with the newly enacted subsections; will require applicants and licensees to submit the attestation of compliance form to the Office; and will provide sanctions for persons who violate the newly created subsections. In addition, the amendments will clarify language relating to changes in personnel listed in applications and amended applications, and correct grammatical errors.

SUBJECT AREA TO BE ADDRESSED: Consumer Finance
RULEMAKING AUTHORITY: 516.03, 516.037, 516.03(1), 516.05, 516.05(4), 516.05(5), 516.05(10), 516.22, 516.22(1), 516.23(3),

LAW IMPLEMENTED: 516.01., 516.02, 516.02(1), 516.03, 516.03(1), 516.031, 516.035, 516.037, 516.05, 516.05(1), 516.05(2), 516.05(4), 516.05(5), 516.07, 516.15, 516.16, 516.17, 516.21, 516.31, and 516.36.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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: 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: Sheila Harley, Office of General Counsel, (850)410-9716, Sheila.Harley@flofr.gov

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

DEPARTMENT OF FINANCIAL SERVICES

Finance

RULE NOS.:	RULE TITLES:
69V-560.1000	Disciplinary Guidelines
69V-560.1012	Adoption of Forms
69V-560.1013	Electronic Filing of Forms and Fees
69V-560.102	Application or Appointment Procedures and Requirements
69V-560.302	Renewal Fees, Deadlines, and Requirements

PURPOSE AND EFFECT: The purpose and effect is to amend existing rules to conform to and implement Chapter No. 2023-28, Laws of Florida, which was signed into law on May 2, 2023. The legislation will require applicants and licensees, beginning July 1, 2023, and upon application and license for renewal, to attest, under penalty of perjury whether the applicant or licensee is acting in compliance with newly enacted subsections 560.1115(1) and (2), Florida Statutes. The amended rules will incorporate a new form, which will serve as the attestation of compliance with the newly enacted subsections; will require applicants and licensees to submit the attestation of compliance form to the Office, which may be provided electronically; and will provide sanctions for persons who violate the newly enacted subsections.

SUBJECT AREA TO BE ADDRESSED: Consumer Finance
RULEMAKING AUTHORITY: 215.405, 560.105, 560.1115, 560.1141, 560.118, 560.126, 560.141, 560.142, 560.143, 560.2085, 560.209, 560.403

LAW IMPLEMENTED: 560.105, 560.109, 560.1092, 560.1105, 560.111, 560.1115, 560.113, 560.114, 560.1141, 560.118, 560.123, 560.1235, 560.125, 560.126, 560.128, 560.1401, 560.141, 560.142, 516.143, 560.204, 560.205,

560.208, 560.2085, 560.209, 560.210, 560.211, 560.213, 560.303, 560.309, 560.310, 560.403, 560.404, 560.405, 560.406, 943.053

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

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: 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: Sheila Harley, Office of General Counsel, (850)410-9716, Sheila.Harley@flofr.gov

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

**Section II
Proposed Rules**

NONE

**Section III
Notice of Changes, Corrections and
Withdrawals**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.:	RULE TITLE:
61C-5.006	Elevator Fees; Permits; Certificates of Operation; Delinquency Fee; Transfer of Ownership; Certificate Replacement

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 49 No. 60, March 28, 2023 issue of the Florida Administrative Register.

The changes are based on comments received from JAPC. Corrected “workings” to “working” on form DBPR HR-7016 Elevator Owners Accident Report to be adopted by reference.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-761.210	Reference Guidelines
62-761.300	Applicability
62-761.500	Storage Tank System Requirements
62-761.700	Repairs, Operation and Maintenance
62-761.800	Out-of-Service and Closure Requirements

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. 49 No. 60, March 28, 2023 issue of the Florida Administrative Register.

62-761.210 Reference Guidelines.

(1) Reference guidelines listed in paragraphs 62-761.210(2)(a) through (n), F.A.C., that are copyright protected are available for inspection during business hours at the Department of Environmental Protection’s Tallahassee Office located at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or the Department of State, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, in accordance with s. 120.54(1)(i)3.b., F.S., or available and directly from the source. Secondary references found within the following primary reference guidelines that have insufficient information to obtain those references can be obtained as provided in the document titled *UST Appendix A – Secondary References*, [Month] 2023 Edition, hereby adopted and incorporated by reference, located here: [[App A LINK](#)], or the Department of Environmental Protection or the Department of State address listed above. All other secondary references can be obtained through the following reference guidelines.

(2) through (3) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 12-10-90, Formerly 17-761.210, Amended 7-13-98, 6-21-04, 1-11-17, 10-13-19, _____.
 Editorial Note: Portions of this rule were relocated to Rule 62-761.420, F.A.C., on 1-11-2017.

62-761.300 Applicability.

(1) No change.

(2) Exemptions: The following underground systems are exempt from the requirements of this chapter:

(a) through (u) No change.

(v) Any rail or tanker truck loading or unloading operations (loading racks) specified in Chapter 28 of *Flammable and Combustible Liquids Code, Bulk Loading and Unloading Facilities for Tank Cars and Tank Vehicles*, NFPA 30, 2021 Edition, hereby adopted and incorporated by reference and available from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, (800)344-3555, or at the publisher’s website at www.nfpa.org/; Copyright protected documents are available for inspection at ~~the~~ Department of Environmental

Protection or the Department of State address provided ~~located~~ in subsection 62-761.210(1), F.A.C.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 12-10-90, Formerly 17-761.300, Amended 7-13-98, 6-21-04, 1-11-17, 7-9-19, _____.

62-761.500 Storage Tank System Requirements.

(1) General requirements.

(a) No change.

(b) Secondary containment.

1. through 3. No change.

4. If factory-made single-walled spill containment systems or single-walled sumps are installed on the system, a containment integrity test shall be performed before the component is placed into service in accordance with the manufacturer’s testing requirements. For system components without manufacturer containment integrity testing specifications, PEI/RP1200-19, 2019 Edition shall be used. PEI RP1200-19 is the *Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities*, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided ~~located~~ in subsection 62-761.210(1), F.A.C., or the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or the publisher’s website at www.pei.org/. For field-fabricated components the tests shall be at least for 24 hours in accordance with manufacturer’s requirements.

5. An interstitial integrity test shall be performed on the storage tank after it is delivered and installed at the facility and before the storage tank is placed into service. This test shall be performed in accordance with manufacturer’s requirements. For storage tanks without manufacturer’s interstitial integrity testing specifications, PEI/RP100-20, 2020 Edition shall be used. PEI/RP100-20 is hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided ~~located~~ in subsection 62-761.210(1), F.A.C., or the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or the publisher’s website at www.pei.org/; *Recommended Practices for Installation of Underground Liquid Storage Systems*, PEI/RP100-20, 2020 Edition; and PEI/RP1200-19, 2019 Edition.

6. through 7. No change.

(c) through (e) No change.

(f) All storage tank systems shall be installed in accordance with the following reference guidelines, hereby adopted and incorporated by reference; and, as copyright protected documents, are available for inspection at the Department of Environmental Protection or the Department of State address provided given in subsection 62-761.210(1), F.A.C.:

1. through 5. No change.

(g) Storage tanks with field-fabricated internal secondary containment shall be installed in accordance with the following manufacturer's specifications, hereby adopted and incorporated by reference; and, as copyright protected documents, are available for inspection at from the Department of Environmental Protection or the Department of State address provided in subsection 62-761.210(1), F.A.C.:

1. through 2. No change.

(h) through (i) No change.

(2) Storage tank installation.

(a) through (b) No change.

(c) Cathodically protected double-walled steel tanks shall be registered in accordance with subsection 62-761.850(2), F.A.C., and shall be:

1. through 3. No change.

4. Certified by a Nationally Recognized Testing Laboratory for any field-installed cathodic protection system, that these requirements are met, constructed, and designed by a Corrosion Professional in accordance with the following document: *External Corrosion Control of Underground Storage Tank Systems by Cathodic Protection*, NACE Standard SP0285-2021, 2021 Edition, hereby adopted and incorporated by reference, and is available from the publisher at AMPP (The Association for Materials Protection and Performance, formerly NACE International), AMPP, 15835 Park Ten Place, Houston, Texas, (800)797-6223, or the publisher's website at <https://www.ampp.org/home>; Copyright protected documents are available for inspection at ~~or~~ the Department of Environmental Protection or the Department of State address provided listed in subsection 62-761.210(1), F.A.C.

(3) Integral piping.

(a) through (c) No change.

(d) Construction requirements.

1. Fiberglass reinforced plastic integral piping or other non-metallic double-walled integral piping installed in contact with the soil at a facility shall meet the requirements of *Nonmetallic Underground Piping for Flammable Liquids*, UL 971, May 2021, 2nd Edition, or shall be certified by a Nationally Recognized Testing Laboratory that these requirements are met, and registered in accordance with subsection 62-761.850(2), F.A.C. UL 971, May 2021, 2nd, is hereby adopted and incorporated by reference, and is available

from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847)272-8800, or from the publisher's website at www.ul.com; Copyright protected documents are available for inspection at ~~or~~ the Department of Environmental Protection or the Department of State address provided listed in subsection 62-761.210(1), F.A.C.

2. Coated steel double-walled integral piping shall be constructed in accordance with ASME B31.3, 2020 Edition, incorporated by reference in subparagraph 62-761.500(1)(f)4., F.A.C. In addition, steel integral piping in contact with the soil shall be cathodically protected in accordance with the following documents: *Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems*, API Recommended Practice 1632, (R2010) 3rd Edition, May 1996, hereby adopted and incorporated by reference and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided in subsection 62-761.210(1), F.A.C., or the publisher at API, 1220 L Street, N.W. Washington, D.C. 20005, (202)682-8000, or the publisher's website at <http://www.api.org>; Control of External Corrosion on Underground or Submerged Metallic Piping Systems, NACE Standard SP0169-2013 (formerly RP0169), 2013 Edition, hereby adopted and incorporated by reference and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided in subsection 62-761.210(1), F.A.C., or the publisher at AMPP (The Association for Materials Protection and Performance, formerly NACE International), AMPP, 15835 Park Ten Place, Houston, Texas, (800)797-6223, or the publisher's website at <https://www.ampp.org/home>; and Recommended Practice for Corrosion Protection of Underground Piping Networks Associated with Liquid Storage and Dispensing Systems, STI R892, Revised January 2006, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at from the Department of Environmental Protection or the Department of State address provided in subsection 62-761.210(1), F.A.C., or the publisher at Steel Tank Institute (STI), 944 Donata Court, Lake Zurich, Illinois 60047, (847) 438-8265, or from the publisher's website at <https://www.steeltank.com/> individual addresses given in subsections 62-761.210(1) and (2), F.A.C.

3. Metallic double-walled integral piping constructed of nonferrous materials, such as copper, does not require cathodic protection and shall be constructed in accordance with the requirements in Chapter 27 of NFPA 30, 2021 Edition, *Flammable and Combustible Liquids Code, Piping System, incorporated by reference in paragraph 62-761.300(2)(v), F.A.C.*

4. Metallic single-walled vertical fill piping does not require cathodic protection and shall be constructed in accordance with the requirements in Chapter 27 of NFPA 30, 2021 Edition, *Flammable and Combustible Liquids Code, Piping Systems*, incorporated by reference in paragraph 62-761.300(2)(v), F.A.C.

5. No change.

(e) No change.

(f) Pressurized integral piping systems connected to dispensers shall be installed with shear valves or emergency shutoff valves in accordance with Section 6.3 of NFPA 30A, 2021 Edition, *Code for Motor Fuel Dispensing Facilities and Repair Garages, Requirements for Dispensing Devices*, incorporated by reference in subparagraph 62-761.500(1)(f)3., F.A.C. These valves shall be designed to close automatically if a dispenser is displaced from its normal position. The valves shall be rigidly anchored independently of the dispenser. The valves shall be tested in accordance with PEI/RP1200-19, 2019 Edition, incorporated by reference in subparagraph 62-761.500(1)(b)4., F.A.C., at the time of installation by a certified contractor to confirm that the automatic closing function of the valve operates properly and that the valve is properly anchored.

(g) All storage tank systems located at an elevation that produces a gravity head on integral piping positioned below the product level in the storage tank must be installed and maintained with an isolation block valve in accordance with Chapter 22.13 of NFPA 30, 2021 Edition, *Flammable and Combustible Liquids Code, Tank Openings Other Than Vents*, incorporated by reference in paragraph 62-761.300(2)(v), F.A.C., and located as close as practical to the storage tank, regardless of the date of installation of the storage tank system. In addition, anti-siphon valves shall be installed and maintained in accordance with Section 11.2 of NFPA 30A, 2021 Edition, *Code for Motor Fuel Dispensing Facilities and Repair Garages, Marine Fueling – Storage*, regardless of the date of installation of the storage tank system. NFPA 30A, 2021 Edition, is incorporated by reference in subparagraph 62-761.500(1)(f)3., F.A.C.

(h) through (j) No change.

(4) Spill containment systems.

(a) No change.

(b) Fillbox covers.

1. Effective [12 months from effective date of rule], regardless of the date of installation of the storage tank system, fillbox covers shall be marked or the fill connection tagged and facility signage shall be prominently displayed in accordance with the following document, hereby adopted and incorporated by reference: *Using the API Color-Symbol System to Identify Equipment, Vehicles, and Transfer Points for Petroleum Fuels and Related Products at Dispensing and Storage Facilities and Distribution Terminals*, API Recommended Practice 1637, 4th

Edition, April 2020. API 1637 is copyright protected and available for inspection at the Department of Environmental Protection or the Department of State address provided in subsection 62-761.210(1), F.A.C., or the American Petroleum Institute information provided in See paragraph 62-761.210(2)(b), F.A.C., for access information.

2. For aviation facilities, regardless of the date of installation of the storage tank system, fillbox covers shall be marked or the fill connection tagged, and facility signage shall be prominently displayed in accordance with the following document, hereby adopted and incorporated by reference *Identification Markings for Dedicated Aviation Fuel Manufacturing and Distribution Facilities, Airport Storage and Mobile Fuelling Equipment*, EI 1542, 9th Edition, July 2012. EI 1542 is copyright protected and available for inspection at the of Environmental Protection or the Department of State address provided in subsection 62-761.210(1), F.A.C., or the Energy Institute information provided in See paragraph 62-761.210(2)(d), F.A.C., for access information.

3. No change.

(c) through (d) No change.

(5) through (6) No change.

(7) Overfill protection.

(a) No change.

(b) Storage tank systems shall be equipped with an overfill device that meets one of the following:

1. No change.

2. Restricts flow to the storage tank when the storage tank is no more than 90 percent full and does not fill the storage tank beyond 95 percent capacity. Flow restrictors, such as ball float valves, used in vent lines may not be used when overfill protection is installed or replaced after January 11, 2017. Flow restrictors installed before January 11, 2017, may only be used if the storage tank system meets the requirements of Section 7 of PEI/RP100-20, 2020 Edition, *Recommended Practices for Installation of Underground Liquid Storage Systems, UST Overfill Equipment Verification, Inspection and Testing*, incorporated by reference in subparagraph 62-761.500(1)(b)5, F.A.C.; or,

3. No change.

(c) through (g) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History—New 12-10-90, Amended 5-4-92, Formerly 17-761.500, Amended 9-30-96, 7-13-98, 6-21-04, 1-11-17, 10-13-19, _____.

62-761.700 Repairs, Operation and Maintenance.

(1) No change.

(2) Cathodic protection.

(a) No change.

(b) Inspection and testing requirements.

1. Storage tank systems equipped with cathodic protection must be inspected, tested, and evaluated by or under the direction of a Corrosion Professional within six months of installation or repair and at least every year, or every three years for factory-installed (galvanic) cathodic protection systems, thereafter in accordance with the criteria contained in AMPP, formerly NACE International, Standards SP0169-2013, incorporated by reference in subparagraph 62-761.500(3)(d)2., F.A.C., and SP0285-2021, incorporated by reference in subparagraph 62-761.500(2)(c)4., F.A.C.; or STI R051-17 *Cathodic Protection Testing Procedures for sti-P3® UST's*, (R051), Revised April 2017, as applicable, regardless of the date of installation of the storage tank system. STI R051-17, Revised April 2017, is hereby adopted and incorporated by reference, and available from the publisher at Steel Tank Institute (STI) publisher at STI, 944 Donata Court, Lake Zurich, Illinois 60047, (847) 438-8265, or from the publisher's website at <https://www.steeltank.com/>. AMPP (The Association for Materials Protection and Performance, formerly NACE International), 15835 Park Ten Place, Houston, Texas 77084, (800)797-6223, or the publisher's website at <https://www.ampp.org/home>, or The copyright protected documents in this subparagraph are available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-761.210(1), F.A.C. All cathodic protection systems shall either have permanent test stations for soil-to-structure potential measurements or use temporary field test stations for required testing in accordance with this subparagraph.

- 2. No change.
- (c) through (d) No change.
- (3) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303, 403.091, 489.133 FS. History—New 3-12-91, Formerly 17-761.700, Amended 9-30-96, 7-13-98, 6-21-04, 1-11-17, 7-9-19,_____.

62-761.800 Out-of-Service and Closure Requirements.

- (1) No change.
- (2) Closure of storage tank systems.
 - (a) No change.
 - (b) Closure of storage tank systems shall be performed by:
 - 1. through 3. No change.

4. Removing and disposing of a storage tank by a Certified Contractor, or in-place closure by filling the storage tank with a solid inert material of sufficient density to prevent a structural collapse of the closed storage tank, ~~which~~ shall be in accordance with the following copyright protected documents, hereby adopted and incorporated by reference, and available from the addresses provided given, regardless of the date of installation of the storage tank system: *Closure of Underground*

Petroleum Storage Tanks, API Recommended Practice 1604, 4th Edition, February 2021, available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-761.210(1), F.A.C., or from the publisher at API, 1220 L Street, N.W. Washington, DC 20005, (202)682-8000, or the publisher's website at <http://www.api.org/>; and *Temporarily Out of Service, Closure in Place, or Closure by Removal of Underground Storage Tanks*, NFPA 30 (Annex C), 2020 Edition, available at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-761.210(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471, (800)344-3555, or at the publisher's website at www.nfpa.org/. In lieu of in-place closure or removal, a storage tank may be used to store liquids other than regulated substances in accordance with API Recommended Practice 1604, 4th Edition, February 2021. Owners and operators are advised that other federal, state, or local requirements apply that regulate these activities; and,

- 5. through 6. No change.
- (3) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303, 376.30716 FS. History—New 12-10-90, Formerly 17-761.800, Amended 9-30-96, 7-13-98, 6-21-04, 1-11-17, 10-13-19,_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-762.201	Definitions
62-762.211	Reference Guidelines
62-762.411	Notification
62-762.501	System Requirements for Shop Fabricated Storage Tanks
62-762.502	System Requirements for Field Erected Storage Tanks
62-762.602	Release Detection Requirements for Field Erected Storage Tanks
62-762.701	Repairs, Operation and Maintenance of Shop Fabricated Storage Tank Systems

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. 49 No. 60, March 28, 2023 issue of the Florida Administrative Register.

62-762.201 Definitions.

All words and phrases defined in Sections 376.031, 376.301, and 487.021, F.S., shall have the same meaning when used in this chapter unless specifically stated otherwise in this chapter. See Sections 376.031, 376.301, and 487.021, F.S., for definitions of the following terms: "Bulk product facility," "Compression vessel," "Contaminant," "Contaminated site," "Department," "Discharge," "Facility," "Flow-through

process tank,” “Hazardous substances,” “Operator,” “Owner,” “Pesticides,” “Petroleum products,” “Pollutants,” “Transfer,” or “transferred,” and “Vessel.” The following words and phrases used in this chapter shall, unless the context indicates otherwise, have the following meaning:

(1) through (32) No change.

(33) “Impervious” means:

(a) No change.

(b) For concrete structures, a material that:

1. No change.

2. Is applied to the concrete in accordance with *Design, Installation, and Maintenance of Coating Systems for Concrete Used in Secondary Containment*, SSPC-TU 2/NACE 6G197, Publication No. 97-04/Item No. 24193, February 1997, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at AMPP (The Association for Materials Protection and Performance, formerly SSPC: The Coatings Society, 800 Trumbull Drive, Pittsburgh, PA 15205, (877)281-7772, or from the publisher’s website at <http://www.ampp.org/home>.

(34) through (35) No change.

(36) “Industrial occupancy building” is an enclosed structure that contains a storage tank system that is used in association with an industrial or manufacturing process, or for electric power generating utilities, provided that the building was constructed and is used primarily for industrial, manufacturing, or electric power generating purposes, and not solely for the purpose of storing regulated substances. An industrial occupancy building is a structure that has an impervious floor (without valves, drains, or other openings) that prevents regulated substances from being discharged. Industrial occupancy buildings constructed between July 13, 1998, and January 11, 2017, must meet the applicable regulatory requirements in this chapter in effect at that time. Industrial occupancy buildings constructed after January 11, 2017, must:

(a) Be constructed in accordance with *Flammable and Combustible Liquids Code, Storage Tank Buildings*, Chapter 24 of NFPA 30, 2021 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169, (617)770-3000, or at www.nfpa.org/;

(b) Have at least Type II construction in accordance with *Standard on Types of Building Construction*, NFPA 220, 2021 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available

for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169, (617)770-3000, or at www.nfpa.org/;

(c) Be ventilated in accordance with *Standard on Explosion Protection by Deflagration Venting*, NFPA 68, 2018 Edition; and *Standard on Explosion Prevention Systems*, NFPA 69, 2019 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169, (617)770-3000, or at www.nfpa.org/; and,

(d) No change.

(37) through (65) No change.

(66) “Secondary containment” means a release detection and discharge prevention system that meets the performance requirements of paragraphs 62-762.501(1)(b) and 62-762.502(1)(b), F.A.C., as applicable. Secondary containment includes dispenser sumps, piping sumps, spill containment systems, the outer wall of double-walled tanks, and integral piping, or the liner or impervious containment for single-walled tanks or integral piping. A Release Prevention Barrier is considered secondary containment for field-erected storage tank bottoms, as specified in Annex I of API Std 650, 13th Edition, March 2020, *Welded Tanks for Oil Storage, Undertank Leak Detection and Subgrade Protection*, which includes Errata 1 (2021), hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at <http://www.api.org>.

(67) through (77) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.031, 376.301, 376.303, 487.021 FS. History—New 6-21-04, Amended 1-11-17, 10-17-19, _____.

Editorial Note: For Pesticides defined in Section 487.021, F.S., the definition of a “new animal drug” is now located in 21 U.S.C. §321(v), and the definition of an animal feed is now located in 21 U.S.C. §321(w), of the Federal Food, Drug, and Cosmetic Act.

62-762.211 Reference Guidelines.

(1) Reference guidelines listed in paragraphs 62-762.211(2)(a) through (n), F.A.C., that are copyright protected are available for inspection during business hours at the Department of Environmental Protection’s Tallahassee Office located at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or the Department of State, R.A. Gray Building, 500

South Bronough Street, Tallahassee, Florida 32399-0250, in accordance with s. 120.54(1)(i)3.b., F.S., or available and directly from the source. Secondary references found within the following primary reference guidelines that have insufficient information to obtain those references can be obtained as provided in the document titled *AST Appendix A – Secondary References*, [Month] 2023 Edition, hereby adopted and incorporated by reference, located here: [App A Link], or the Department of Environmental Protection or the Department of State address provided listed above. All other secondary references can be obtained through the following reference guidelines.

(2) through (3) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 6-21-04, Amended 1-11-17, 10-17-19,_____.

62-762.411 Notification.

(1) through (2) No change.

(3) Internal Inspections. Notification shall be received by the county in writing or electronic format between 10 and 25 days before the initiation of the work unless the county agrees to a shorter time period for inspections in accordance with *Tank Inspection, Repair, Alteration, and Reconstruction*, API Std 653, 5th Edition, November 2014, including Addendum 1 (2018), Addendum 2 (2020), and Errata 1 (2020), hereby adopted and incorporated by reference, and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at <http://www.api.org/>; and for piping integrity testing pursuant to *Piping Inspection Code: In-service Inspection, Rating, Repair, and Alteration of Piping Systems*, API 570, 4th Edition, February 2016, including Addendum 1 (2017), Addendum 2 (2018), and Errata 1 (2018), hereby adopted and incorporated by reference, and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at <http://www.api.org/>. Smaller field erected tanks with capacities less than 250,000 gallons shall be inspected in accordance with API Std 653, November 2014, including Addendum 1 (2018), Addendum 2 (2020), and Errata 1 (2020); or *Standard for the Inspection of Aboveground Storage Tanks*, STI SP001, 6th Edition, January 2018, hereby adopted and incorporated by reference and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1),

F.A.C., or from the publisher at STI, 944 Donata Court, Lake Zurich, IL 60047, (847)438-8265, or at <https://www.steeltank.com/>. Notification is not required for any STI SP001, January 2018, API Std 653, November 2014, including Addendum 1 (2018), Addendum 2 (2020), and Errata 1 (2020), and API 570, February 2016, including Addendum 1 (2017), Addendum 2 (2018), and Errata 1 (2018), inspection work or activities where the tank or piping will remain in service or will not be empty, or for routine maintenance.

(4) through (7) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303, 376.303, 403.077 FS. History–New 1-11-17, Amended 10-17-19,_____.

Editorial Note: Portions of this rule were copied from Rule 62-762.451, F.A.C., on 1/11/2017.

62-762.501 System Requirements for Shop Fabricated Storage Tanks.

(1) General requirements.

(a) No change.

(b) Secondary containment.

1. No change.

2. Synthetic liners, unless previously approved by the Department, shall be designed and tested in accordance with *Test Methods, Test Properties and Testing Frequency for High Density Polyethylene (HDPE) Smooth and Textured Geomembranes*SM, GRI - GM13 Standard Specification, Rev. 16 March 2021, hereby adopted and incorporated by reference, and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at Geosynthetic Institute, 475 Kedron Avenue, Folsom, Pennsylvania 19033-1208, (610)522-8440, or at <http://www.geosynthetic-institute.org/>, and be registered with the Department in accordance with subsection 62-762.851(2), F.A.C. Liners shall not be constructed or consist of naturally occurring in-situ soils.

3. Secondary containment constructed of concrete shall be:

a. No change.

b. Lined in accordance with SSPC-TU 2/NACE 6G197, February 1997, incorporated by reference in subparagraph 62-762.201(33)(b)2., F.A.C., unless previously lined in accordance with *Coatings and Linings over Concrete for Chemical Immersion and Containment Service*, NACE Standard SP0892-2007 (formerly RP0892), 2007 Edition, hereby adopted and incorporated by reference, and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at AMPP, 15835 Park Ten Place, Houston, Texas 77084, or at <https://www.ampp.org/home>, and be registered

with the Department in accordance with subsection 62-762.851(2), F.A.C., or

c. No change.

4. through 7. No change.

8. If factory-made single-walled spill containment systems or single-walled sumps are installed on the system, a containment integrity test shall be performed before the component is placed into service in accordance with the manufacturer's testing requirements. For system components without manufacturer containment testing specifications, PEI/RP1200-19, 2019 Edition shall be used. PEI/RP1200-19 is the *Recommended Practices for the Testing and Verification of Spill, Overflow, Leak Detection and Secondary Containment Equipment at UST Facilities*, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided located in subsection 62-762.211(1), F.A.C., or the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or the publisher's website at www.pei.org/. For field-fabricated components the tests shall be performed for at least 24 hours in accordance with manufacturer's requirements.

9. An interstitial integrity test shall be performed on each double-walled or double-bottomed storage tank with a closed interstice after it is delivered and placed at its final location at the facility, and before the storage tank is placed into service. This test shall be performed in accordance with the manufacturer's testing specifications. For storage tanks without manufacturer interstitial integrity testing requirements, PEI/RP200-19, 2019 Edition, shall be used. PEI/RP200-19 is the *Recommended Practices for Installation of Aboveground Storage Systems for Motor Vehicle Fueling*, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or at www.pei.org/. For closed top dike double-walled UL 142 storage tanks with an open interstice not capable of being pressurized, manufacturer's inspection instructions in accordance with the UL 142 storage tank's equipment registration pursuant to subsection 62-762.851(2), F.A.C., must be performed for structural or other damage to the storage tank after it is delivered and placed at its final location at the facility, and before the storage tank is placed into service. If manufacturer instructions are unavailable, a visual inspection must be performed for structural or other damage to the storage tank after it is delivered and placed at its final location at the facility, and before the storage tank is placed into service.

10. Before integral piping is placed into service, an interstitial integrity test shall be performed on double-walled small diameter integral piping in contact with the soil, or that transports regulated substances over surface waters of the state, in accordance with *Recommended Practices for Installation of Underground Liquid Storage Systems*, PEI/RP100-20, 2020 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or at www.pei.org/, and PEI/RP1200-19, 2019 Edition.

11. No change.

(c) through (g) No change.

(h) All storage tank systems shall be installed in accordance with the applicable provisions of:

1. No change.

2. *Code for Motor Fuel Dispensing Facilities and Repair Garages*, NFPA 30A, 2021 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at NFPA, 1 Batterymarch Park, Quincy, Massachusetts 02169, (617)770-3000, or at www.nfpa.org/,

3. *Process Piping*, ASME B31.3, 2020 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at ASME International, 22 Law Drive, Box 2900, Fairfield, New Jersey 07007-2900, (800)843-2763, or the publisher's website at <http://www.asme.org/>;

4. PEI/RP200-19, 2019 Edition, incorporated by reference in subparagraph 62-762.501(1)(b)9, F.A.C.; and,

5. *Recommended Practices for the Design and Installation of Fueling Systems for Emergency Generators, Stationary Diesel Engines and Oil Burner Systems*, PEI/RP1400-21, 2021 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at PEI, Post Office Box 2380, Tulsa, Oklahoma 74101-2380, (918)494-9696, or at www.pei.org/.

(2) Storage tank installation.

(a) No change.

(b) Storage tank construction requirements.

1. Storage tanks shall be constructed in accordance with one of the following requirements hereby adopted and

incorporated by reference; and, as a copyright protected document, is available for inspection from the Department of Environmental Protection or the Department of State address provided ~~given~~ in subsection 62-762.211(1):

a. thought h. No change.

i. Recommended Practices for the Design and Installation of Fueling Systems for Emergency Generators, Stationary Diesel Engines and Oil Burner Systems, PEI/RP1400-14, 2014 Edition, to obtain this reference from the publisher, see paragraph 62-762.211(2)(j), F.A.C.

2. No change.

(c) No change.

(d) through (e) No change.

(f) Spill containment systems.

1. No change.

2. Fillbox covers.

a. Effective [12 months from the effective date of the rule], regardless of the date of installation of the storage tank system, fillbox covers shall be marked or the fill connection tagged and facility signage shall be prominently displayed in accordance with the following document, hereby adopted and incorporated by reference: Using the API Color-Symbol System to Identify Equipment, Vehicles, and Transfer Points for Petroleum Fuels and Related Products at Dispensing and Storage Facilities and Distribution Terminals, API Recommended Practice 1637, 4th Edition, April 2020. API 1637 is a copyright protected document and is available for inspection at the Department of Environmental Protection or the Department of State address provided in subsection 62-762.211(1), F.A.C., or the American Petroleum Institute information provided in See paragraph 62-762.211(2)(b), F.A.C., ~~for additional information.~~

b. For storage tank systems storing aviation fuel, regardless of the date of installation of the storage tank system, fillbox covers shall be marked or the fill connection tagged and facility signage shall be prominently displayed in accordance with the following document, hereby adopted and incorporated by reference: Identification Markings for Dedicated Aviation Fuel Manufacturing and Distribution Facilities, Airport Storage and Mobile Fuelling Equipment, EI 1542, 9th Edition, July 2012. EI 1542 is a copyright protected document and is available for inspection at the of Environmental Protection or the Department of State address provided in subsection 62-762.211(1), F.A.C., or the Energy Institute information provided in See paragraph 62-76.211(2)(d), F.A.C., ~~for additional information;~~ or

c. No change.

3. No change.

(g) Dispensers and dispenser sumps.

1. The dispenser used for transferring fuels from storage tanks to vehicles or portable containers shall be installed and maintained in accordance with the provisions of NFPA 30,

2021 Edition, incorporated by reference in paragraph 62-762.201(36)(a), F.A.C.; and Chapter 6, Fuel Dispensing Systems; Chapter 9, Operational Requirements; and Chapter 11, Marine Fueling of NFPA 30A Code for Motor Fuel Dispensing Facilities and Repair Garages, 2021 Edition, incorporated by reference in subparagraph 62-762.501(1)(h)2., F.A.C.

2. through 3. No change.

(h) through (j) No change.

(3) Small diameter integral piping.

(a) Installation.

1. All integral piping installed after January 11, 2017, shall be installed in accordance with the manufacturer's instructions, if applicable, and according to the applicable provisions of PEI/RP200-19, 2019 Edition, incorporated by reference in subparagraph 62-762.501(1)(b)9., F.A.C.; Chapter 27 of NFPA 30, 2021 Edition, Flammable and Combustible Liquids Code, Piping Systems, incorporated by reference in paragraph 62-762.201(36)(a), F.A.C.; NFPA 30A, 2021 Edition, incorporated by reference in subparagraph 62-762.501(1)(h)2., F.A.C.; and Pipeline Transportation Systems for Liquids and Slurries, ASME B31.4, 2019 2016 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided ~~listed~~ in subsection 62-762.211(1), F.A.C., or from the publisher at ASME International, 22 Law Drive, Box 2900, Fairfield, New Jersey 07007-2900, (800)843-2763, or the publisher's website at <http://www.asme.org/>.

2. An interstitial integrity test shall be performed on double-walled integral piping that is in contact with the soil, or that transports regulated substances over surface waters of the state in accordance with PEI/RP100-20, 2020 Edition, incorporated by reference in subparagraph 62-762.501(1)(b)10., F.A.C., and PEI/RP1200-19, 2019 Edition, incorporated by reference in subparagraph 62-762.501(1)(b)8., F.A.C., before the integral piping is placed into service.

3. through 4. No change.

5. All new pressurized small diameter integral piping that is in contact with the soil must be installed with line leak detectors meeting the requirements of paragraph 62-762.601(4)(b), F.A.C. The line leak detectors must be tested annually, at intervals not exceeding 12 months in accordance with paragraph 62-762.601(1)(b), F.A.C., and be installed in accordance with manufacturer's instructions. For line leak detectors without manufacturer's instructions, the installation must be in accordance with Section 7 of PEI/RP200-19-, Recommended Practices for Installation of Aboveground Storage Systems for Motor Vehicle Fueling, Pumps and Valves, 2019 Edition, incorporated by reference in subparagraph 62-762.501(1)(b)9., F.A.C.

6. No change.

(b) No change.

(c) Construction.

1. Fiberglass reinforced plastic piping, semi-rigid non-metallic, or other non-rigid piping installed in contact with the soil shall be installed in accordance with *Non-metallic Underground Piping for Flammable Liquids*, UL 971, May 2021, 2nd Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at UL, 333 Pfingsten Road, Northbrook, Illinois 60062-2096, (847)272-8800, or at www.ul.com/, or certified by a Nationally Recognized Testing Laboratory that these requirements are met, and registered in accordance with subsection 62-762.851(2), F.A.C.

2. Rigid metallic integral piping shall be constructed in accordance with ASME B31.3, 2020 Edition, incorporated by reference in subparagraph 62-762.501(1)(h)3., F.A.C., or PEI/RP200-19, 2019 Edition, incorporated by reference in subparagraph 62-762.501(1)(b)9., F.A.C. In addition, steel integral piping in contact with the soil shall be cathodically protected in accordance with the following documents: *Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems*, API RP 1632, (R2010), 3rd Edition, May 1996, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at http://www.api.org/; Control of External Corrosion on Underground or Submerged Metallic Piping Systems, NACE Standard SP0169-2013 (formerly RP0169), 2013 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at AMPP, 15835 Park Ten Place, Houston, Texas 77084 (800)797-6223, or at https://www.ampp.org/home; and Recommended Practice for Corrosion Protection of Underground Piping Networks Associated with Liquid Storage and Dispensing Systems, STI R892, Revised January 2006, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at STI, 944 Donata Court, Lake Zurich, IL 60047, (847)438-8265, or at https://www.steeltank.com/.

3. Metallic double-walled integral piping constructed of nonferrous materials such as copper shall be constructed in accordance with the requirements in Chapter 27 of NFPA 30, 2021 Edition, incorporated by reference in paragraph 62-762.201(36)(a), F.A.C.

4. through 5. No change.

(d) Valves.

1. Shear valves. Pressurized small diameter integral piping systems connected to dispensers shall be installed with shear valves or emergency shutoff valves in accordance with Section 6.3 of NFPA 30A, *Code for Motor Fuel Dispensing Facilities and Repair Garages, Requirements for Dispensing Devices*, 2021 Edition. NFPA 30A is incorporated by reference in subparagraph 62-762.501(1)(h)2. F.A.C. These valves shall be designed to close automatically if a dispenser is displaced from its normal position. The valves shall be rigidly anchored independently of the dispenser. The valves shall be tested in accordance with PEI/RP1200-19, 2019 Edition, incorporated by reference in subparagraph 62-762.501(1)(b)8., F.A.C., at the time of installation by a certified contractor to confirm that the automatic closing function of the valve operates properly, and that the valve is properly anchored.

2. Isolation block valves. Any storage tank system, regardless of the date of installation of the storage tank system, located at an elevation that produces a gravity head on small diameter integral piping positioned below the product level in the tank must be installed and maintained with an isolation block valve in accordance with Chapter 22.13 of NFPA 30, 2021 Edition, *Flammable and Combustible Liquids Code, Tank Openings Other Than Vents*. NFPA 30 is incorporated by reference in paragraph 62-762.201(36)(a), F.A.C.

3. Anti-siphon valves. For storage tank systems that produce a gravity head on small diameter integral piping positioned below the product level in the tank, anti-siphon valves shall be installed and maintained in accordance with Section 7 of PEI/RP200-19, 2019 Edition, and Section 11.2 of NFPA 30A, *Marine Fueling, Storage*, 2021 Edition. NFPA 30A is incorporated by reference in subparagraph 62-762.501(1)(h)2. F.A.C. For such storage tank systems installed prior to January 11, 2017, anti-siphon valves shall be installed within one year of January 11, 2017. Integral piping located within an impervious dike field area does not require anti-siphon valves.

(4) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History—New 6-21-04, Amended 1-11-17, 10-17-19, _____.

62-762.502 System Requirements for Field Erected Storage Tanks.

(1) No change.

(2) Storage tank installation.

(a) No change.

(b) Storage tank construction requirements.

1. Storage tanks shall be constructed in accordance with one of the following:

a. Design and Construction of Large, Welded, Low-Pressure Storage Tanks, API Std 620, 12th Edition, October 2013, includes Addendum 1 (2014), Addendum 2 (2018) and Addendum 3 (2021), hereby adopted and incorporated by reference, and, as a copyright protected document, is available at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at <http://www.api.org/>, or

b. No change.

2. No change.

(c) No change.

(d) Secondary containment.

1. through 2. No change.

3. Dike field areas with secondary containment shall:

a. Conform to the requirements of Chapter 22 of NFPA 30, 2021 Edition, incorporated by reference in paragraph 62-762.201(36)(a), F.A.C.,

b. through d. No change.

4. No change.

5. Instead of installing secondary containment in the entire dike field area in accordance with this subsection, an alternative dike field secondary containment system registered in accordance with subsection 62-762.851(2), F.A.C., may be used. Alternative dike field secondary containment systems are not allowed in public wellhead protection areas. The alternative dike field secondary containment system, regardless of the date of installation of the storage tank system, must provide:

a. through c. No change.

d. A high and a high-high level overfill alarm system with an annual test of operability, in accordance with Overfill Prevention for Storage Tanks in Petroleum Facilities, API Standard 2350, 5th Edition, September 2020, including Errata 1, April 2021, hereby adopted and incorporated by reference, and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at <http://www.api.org/>. An annual operability test will be deemed timely if performed within the same calendar month in which the test is due.

e. through h. No change.

6. Instead of installing secondary containment in the entire dike field area in accordance with this subsection, a double-walled storage tank may be used. The storage tank must be

constructed in accordance with API Std 650, March 2020. API 650 is incorporated by reference in subsection 62-762.201(66), F.A.C.

7. Release prevention barriers for dike field containment systems shall be impervious and be designed and constructed in accordance with API Std 650, March 2020, incorporated by reference in subsection 62-762.201(66), F.A.C., or be registered as a release prevention barrier or secondary containment in accordance with subsection 62-762.851(2), F.A.C.

(e) Overfill protection.

1. No change.

2. Overfill protection shall be performed, as applicable, in accordance with API Standard 2350, 5th Edition, September 2020, including Errata 1, April 2021. API Standard 2350 is incorporated by reference in sub-subparagraph 62-762.502(2)(d)5.d., F.A.C.

3. All storage tanks, not subject to API Standard 2350, 5th Edition, September 2020, including Errata 1, April 2021, incorporated by reference in sub-subparagraph 62-762.502(2)(d)5.d., F.A.C., shall not be filled beyond 90 percent capacity and shall be equipped with at least one of the following overfill protection devices or containment method:

4. through 6. No change.

(f) through (i) No change.

(3) No change.

(4) Bulk product piping.

(a) Installation.

1. Bulk product piping shall be constructed and installed in accordance with the applicable provisions of Chapter 27 of NFPA 30, 2021 Edition, incorporated by reference in subsection 62-762.201(36)(a), F.A.C.; and either ASME B31.3, 2020 Edition, incorporated by reference in subparagraph 62-762.501(1)(h)3., F.A.C.; or B31.4, 2019 Edition, incorporated by reference in subparagraph 62-762.501(3)(a)1., F.A.C.; or Welding of Pipelines and Related Facilities, API Std 1104, 22nd Edition, July 2021, hereby adopted and incorporated by reference, and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at <http://www.api.org/>.

2. No change.

3. An integrity test shall be performed for underground bulk product piping for high viscosity products in accordance with Chapter 27 of NFPA 30, 2021 Edition, incorporated by reference in subsection 62-762.201(36)(a), F.A.C., before the piping system is placed into initial use. An interstitial integrity test shall be performed for underground bulk product piping

with secondary containment in accordance with subsection 62-762.702(4), F.A.C., or Chapter 27 of NFPA 30, 2021 Edition, before the piping is placed into initial use.

(b) No change.

(c) Construction.

1. New steel bulk product piping shall be constructed in accordance with ASME B31.3, 2020 Edition, incorporated by reference in subparagraph 62-762.501(1)(h)3., F.A.C.; or ASME B31.4, 2019 Edition, incorporated by reference in subparagraph 62-762.501(3)(a)1., F.A.C.; or API Std ~~STD~~ 1104, 22nd Edition, July 2021, incorporated by reference in subparagraph 62-762.502(4)(a)1., F.A.C. Bulk product steel integral piping in contact with the soil shall be cathodically protected in accordance with API RP 1632, 3rd Edition (R2010) May 1996, incorporated by reference in subparagraph 62-762.501(3)(c)2., F.A.C.; NACE Standard SP0169-2013, 2013 Edition, incorporated by reference in subparagraph 62-762.501(3)(c)2., F.A.C.; or STI R892, Revised January 2006, incorporated by reference in subparagraph 62-762.501(3)(c)2., F.A.C. Corrosion Protection can also be provided using vapor corrosion inhibitors registered in accordance with subsection 62-762.851(2), F.A.C. Bulk product piping using corrosion protection systems with vapor corrosion inhibitors that are registered in accordance with subsection 62-762.851(2), F.A.C., shall be designed and installed under the direction of a Corrosion Professional.

2. through 3. No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303 FS. History–New 1-11-17, Amended 10-17-19,___.

62-762.602 Release Detection Requirements for Field Erected Storage Tank Systems.

(1) through (5) No change.

(6) Bulk product and hydrant piping without secondary containment. Single-walled bulk product and hydrant piping in contact with the soil, except those containing high viscosity product, shall have one or more of the following release detection methods:

(a) An annual line pressure test performed in accordance with *Recommended Practice for the Pressure Testing of Steel Pipelines for the Transportation of Gas, Petroleum Gas, Hazardous Liquids, Highly Volatile Liquids, or Carbon Dioxide*, API RP 1110, (R2018), 6th Edition, February 2013, hereby adopted and incorporated by reference, and, as a copyright protected document, is available for inspection at from the Department of Environmental Protection or the Department of State address provided listed in subsection 62-762.211(1), F.A.C., or from the publisher at API, 1220 L Street, N.W., Washington, DC 20005, (202)682-8000, or at <http://www.api.org/>, regardless of the date of installation of the piping.

(b) through (d) No change.

(7) through (9) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303, 403.091 FS. History–New 1-11-17,_____.

62-762.701 Repairs, Operation and Maintenance of Shop Fabricated Storage Tank Systems.

(1) No change.

(2) Cathodic and corrosion protection.

(a) No change.

(b) Inspection and testing requirements.

1. Storage tank systems equipped with cathodic protection, regardless of the date of installation of the storage tank system or storage tank system component, must be inspected, tested, and evaluated by or under the direction of a Corrosion Professional within six months of installation or repair and at least every year, or every three years for factory installed (galvanic) cathodic protection systems, thereafter in accordance with the criteria contained in SP0169-2013, 2013 Edition, incorporated by reference in subparagraph 62-762.501(3)(c)2., F.A.C., and *External Corrosion Control of Underground Storage Tank Systems by Cathodic Protection*, NACE Standard SP0285-2021, 2021 Edition, hereby adopted and incorporated by reference; and, as a copyright protected document, is available for inspection at the Department of Environmental Protection or the Department of State address provided in subsection 62-762.211(1), F.A.C., or from the publisher at AMPP, 15835 Park Ten Place, Houston, Texas 77084, (800)797-6223, or at <https://www.ampp.org/home>, provided in paragraph 62-762.211(2)(g), F.A.C., regardless of the date of installation of the storage tank system or storage tank system component. All cathodic protection systems shall either have permanent test stations for soil-to-structure potential measurements or use temporary field test stations for required testing in accordance with this subparagraph.

2. No change.

(c) through (d) No change.

(3) through (7) No change.

Rulemaking Authority 376.303 FS. Law Implemented 376.303, 403.091 FS. History–New 6-21-04, Amended 1-11-17, 7-9-19,___

Section IV Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NOS.:RULE TITLES:

60FF1-5.003 911 Grant Programs

60FF1-5.0035 Florida 911 Reporting Forms

NOTICE IS HEREBY GIVEN that on May 08, 2023, the E911 Board, received a petition for variance or waiver filed by Kevin Rambosk, Sheriff on behalf of Collier County. The Petitioner is seeking a variance of subsection 60FF1-5.003(2)(a), F.A.C., which specifies, Section 10.4 of the grant application, limits a change request for a grant extension to one additional year. The Petitioner is also seeking a variance of subsection 60FF1-5.0035(3), F.A.C., which incorporates a grant change request form. Comments on this petition should be filed with Leon Simmonds, Executive Director, E911 Board, 4030 Esplanade Way, Suite 135F, Tallahassee, Florida 32399-0950, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Leon Simmonds, Executive Director, E911 Board, at the above address or telephone: (850)922-4135, or by electronic mail – Leon.Simmonds@dms.fl.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board hereby gives notice:

that on May 2, 2023, an Order was filed on the Petition for Variance or Waiver. The Petition was filed by Mark E. Sapp, seeking a variance or waiver from Section 489.118, Florida Statutes, Section 489.105(3)(a)-(p), Florida Statutes and Section 489.115, Florida Statutes, regarding the certification of registered contractors and grandfathering provisions. Petitioner sought a variance or waiver from the Board regarding an exception to the contractor licensure requirements contained in Section 489.118, Florida Statutes, 489.105(3)(a)-(p), Florida Statutes and Section 489.115, Florida Statutes.

The Notice of Petition for Variance or Waiver was published in Vol. 49, No. 59, on March 27, 2023, in the Florida Administrative Register. The Board, at its meeting held on April 14, 2023, denied the Petition for Variance or Waiver, finding that Petitioner failed to establish that the Board’s application of Rule 61G4-16.005, F.A.C., to the Petitioner’s circumstances would violate the principles of fairness or impose a substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Amanda Ackermann, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039 or telephone: (850)487-1395, or by electronic mail to Amanda.Ackermann@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination

NOTICE IS HEREBY GIVEN that on April 24, 2023, the Board of Nursing, received a petition for variance or waiver filed by Lateshia R. Horton. Petitioner requests a variance or waiver from subsection 64B9-3.002(3), F.A.C., which states in part, for an applicant writing the examination for practical nurses on the basis of practical nursing education equivalency, a completed Practical Nurse Equivalence (PNEQ) Application Letter or an official certified transcript which sets forth graduation from an approved professional program is required.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252; MQA.Nursing@flhealth.gov.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-21.026 HC Credit Underwriting Procedures

NOTICE IS HEREBY GIVEN that on May 08, 2023, the Florida Housing Finance Corporation, received a petition for waiver of paragraph 67-21.026(13)(e), Florida Administrative Code (07/06/2022) from Malibu Bay Preservation, Ltd. allowing the GC to exceed the \$350k cap.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing’s website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that on May 04, 2023, the Department of Financial Services, Division of State Fire Marshal (Department), received a petition for An emergency

Variance/Waiver regarding Chief Boiler Inspector’s definition of “boiler,” within the Florida Boiler Safety Act, Chapter 554,108 F.S. to include pool heaters operating in open loop systems. The Variance sought is for Fire Marshal to conclude that pool heaters in open loop systems do not require an ASME H-Stamp but may be installed in a commercial pool with an HLW Stamp.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sarah Marcos, Office of the General Counsel, 200 E. Gaines Street, Tallahassee, Florida 32399, (850) 413-4229, Sarah.Marcos@myfloridacfo.com

DEPARTMENT OF FINANCIAL SERVICES

Division of Unclaimed Property

RULE NO.: RULE TITLE:

69G-20.0021 PROCEDURES FOR FILING CLAIM

NOTICE IS HEREBY GIVEN that on April 12, 2023, the Department of Financial Services, received a petition for an emergency waiver from Choice Plus, LLC. Choice Plus, LLC, is requesting that the Department of Financial Services grant a temporary emergency waiver from subsection 69G-20.0021(4) of the Florida Administrative Code regarding the required use of the Unclaimed Property Recovery Agreement, form DFS-UP-309. The Department subsequently determined that the request did not constitute an emergency. Comments on this petition should be filed with the DFS Agency Clerk, 200 East Gaines Street, 612 Larson Building, Tallahassee, Florida 32399-0333, fax: (850)488-0697, e-mail: DFSAgencyClerk@myfloridacfo.com, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the DFS Agency Clerk, at the above address or by telephone: (850)413-4279 or e-mail: DFSAgencyClerk@myfloridacfo.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Division of Marketing and Development announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 23, 2023, 9:00 a.m.

PLACE: Microsoft Teams meeting

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ODRjZjM3NjUtYTE0Mi00ZmY4LWI5OTgtZTA1MThjZmM2Yjc2%40thread.v2/0?context=%7b%22Tid%22%3a%2262557d98-bd11-4a88-8a7b-

57bc3df0190b%22%2c%22Oid%22%3a%226d9faeba-61ea-42e0-8153-f01f4f95af86%22%7d

GENERAL SUBJECT MATTER TO BE CONSIDERED: Research and promotion grant funding and program guidelines. A copy of the agenda may be obtained by contacting: Melissa Hunt at (850) 841-0086.

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: Melissa Hunt at (850) 841-0086. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Melissa Hunt at (850) 841-0086.

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces a public meeting to which all persons are invited.

DATES AND TIMES: May 18, 2023, 1:30 p.m. and May 19, 2023, 9:00 a.m.

PLACE: Carl T. Langford Board Room (GOAA Executive offices); Orlando International Airport; at One Jeff Fuqua Blvd., Orlando, FL 32827.

GENERAL SUBJECT MATTER TO BE CONSIDERED: May 18, 2023: members of the Florida Transportation Commission will participate in a tour of OIA Terminal C and Brightline station in the OIA airport. May 19, 2023: General FTC business/discussions.

A copy of the agenda may be obtained by contacting: the Florida Transportation Commission at 850-414-4105 or by emailing ftc@dot.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 48 hours before the workshop/meeting by contacting: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399. 850-414-4105. 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).

For more information, you may contact: the Florida Transportation Commission at 850-414-4105 or by emailing ftc@dot.state.fl.us.

STATE BOARD OF ADMINISTRATION

The Florida Hurricane Catastrophe Fund Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 17, 2023, 1:30 p.m. (ET) until conclusion of meeting.

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida. Persons wishing to participate by phone may dial (415) 930-5321 and enter conference code 586-527-939.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The discussion will include the May 2023 claims-paying capacity estimates. Other general business of the Advisory Council may also be addressed.

A copy of the agenda may be obtained by contacting: Ben Addleton, Florida Hurricane Catastrophe Fund, ben.addleton@sbafla.com, (850) 413-1332.

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: Ben Addleton at the email or number listed above. 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).

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a public meeting (telephonic) in the following matter to which all persons are invited.

DATE AND TIME: Wednesday, May 24, 2023, 2:00 p.m.

PLACE: Telephone: 1-888-585-9008, Conference Code: 416-925-719

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket Number 20210049-TP. This is a meeting of the Telecommunications Access System Act Advisory Committee established pursuant to §427.705, F.S. The purpose of the meeting is to discuss current relevant issues related to relay. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. A copy of the meeting agenda may be obtained by contacting: Curtis Williams, cjwillia@psc.state.fl.us or at (850) 413-6924. Mr. Williams is also available to answer questions about this meeting.

ADA: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than close of business on Wednesday, May 17, 2023, at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or 850-413-6770 (Florida Relay Service, 1-800-955-8770 Voice or 1-800-955-8771 TDD).

EMERGENCY CANCELLATION OF MEETING: If settlement of the case or a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.floridapsc.com>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at 850-413-6199.

EXECUTIVE OFFICE OF THE GOVERNOR

The Volunteer Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 6, 2023, 9:00 a.m., ET until all business is complete

PLACE: 1(888)585-9008, Code: 721648837#

GENERAL SUBJECT MATTER TO BE CONSIDERED: A series of calls discussing general business. Calls will begin on the hour every hour from 9:00 a.m., ET – 5:00 p.m., ET, with a lunch break being taken at 12:00 Noon, ET.

A copy of the agenda may be obtained by contacting: Sterling Marquez, sterling@volunteerflorida.org, (850)414-7400.

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 3 days before the workshop/meeting by contacting: Sterling Marquez, sterling@volunteerflorida.org, (850)414-7400. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Sterling Marquez, sterling@volunteerflorida.org, (850)414-7400.

REGIONAL PLANNING COUNCILS**North Central Florida Regional Planning Council**

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2023, 1:00 p.m.

PLACE: Nutrien (formerly PCS Phosphate) Conference Center, 16071 SE 78th Place, White Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board.

A copy of the agenda may be obtained by contacting: Scott Koons, Executive Director, North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, FL 32653 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: 352.955.2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 18, 2023, 10:00 a.m.

PLACE: Nutrien (formerly PCS Phosphate) Conference Center, 16071 SE 78th Place, White Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Local Emergency Planning Committee

A copy of the agenda may be obtained by contacting: Scott Koons, Executive Director, North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, FL 32653 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: 352.955.2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Local Emergency Planning Committee (SoFlaLEPC) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 17, 2023, 10:00 a.m.

PLACE: In-person at 1 Oakwood Blvd., Suite 250, Hollywood, FL 33020. Register in advance for the secondary option to join the meeting hybrid via Zoom at:

<https://us06web.zoom.us/j/88375744677?pwd=UzBFVE5zNjRhTnY2WlMraUNXSkNhUT09>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY22-23.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council at 1 Oakwood Blvd., Suite 250, Hollywood, FL 33020, via email request to Charlene Burke (cburke@sfrpc.com), visiting the SoFlaLEPC website (www.softalepc.org) or by calling (954)924-3653 in Broward or 1(800)924-3653 toll-free statewide.

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: South Florida Regional Planning Council at 1 Oakwood Blvd., Suite 250, Hollywood, FL 33020, via email request to Charlene Burke (cburke@sfrpc.com), visiting the SoFlaLEPC website (www.softalepc.org) or by calling (954)924-3653 in Broward or 1(800)924-3653 toll-free statewide. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: South Florida Regional Planning Council at 1 Oakwood Blvd., Suite 250, Hollywood, FL 33020, via email request to Charlene Burke (cburke@sfrpc.com), visiting the SoFlaLEPC website (www.softalepc.org) or by calling (954)924-3653 in Broward or 1(800)924-3653 toll-free statewide.

POLK REGIONAL WATER COOPERATIVE

The Board of Directors and the Project Boards of the Polk Regional Water Cooperative announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 17, 2023, 2:00 p.m.

PLACE: by means of Communications Media Technology (CMT) and at Lake Myrtle Sports Complex, 2701 Lake Myrtle Park Road, Auburndale, Florida 33823

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors and the Project Boards of the Polk Regional Water Cooperative to hold a regularly scheduled meeting to address subjects dealing with organization, budgeting, water conservation, and project selection, funding, planning, and development, all as provided within the Interlocal Agreement creating the Cooperative. The meeting is open to the public.

Members of the public desiring to provide comment may do so in person or through submission of written comments before the meeting via mail at Polk Regional Water Cooperative, c/o Executive Director, Attn: Carrie Palmer, P.O. Box 9005, Drawer CA01, Bartow, Florida 33831-9005, or email to CarriePalmer@polk-county.net. To assure consideration of

written public comments, written comments should be received at least forty-eight hours prior to the public meeting. Public comments offered in writing shall be afforded equal consideration, regardless of the method of communication. The meeting may be remotely viewed via Zoom, a media technology free for the public to use. A link will be provided on the Cooperative's website at www.prcwater.org with instructions regarding viewing of the meeting.

A copy of the agenda may be obtained by contacting: Copies of the meeting agenda are available in the Documents & Agendas section of the Cooperative's website, www.prcwater.org, or may be obtained by writing the Polk Regional Water Cooperative, c/o Executive Director, Attn: Carrie Palmer, P.O. Box 9005, Drawer CA01, Bartow, Florida 33831-9005 or by calling Carrie Palmer at (863)534-6444.

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: Polk County Communications Office, Polk County Administration Building, 330 West Church Street in Bartow, Florida 33831, Telephone: (863)534-6090, TDD (863)534-7777. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: For more information, you may contact Eric DeHaven, Executive Director, Polk Regional Water Cooperative, by telephone at (863)534-6444 or by email at EricDeHaven@PRWCwater.org.

FLORIDA VIRTUAL SCHOOL

The Florida Virtual School Board of Trustees announces a workshop to which all persons are invited.

DATE AND TIME: May 23, 2023, 9:00 a.m.

PLACE: The Florida Virtual School Board of Trustees Workshop Meeting, including the public portion of the litigation shade meeting/private attorney-client session noted below, will be livestreamed, and members of the public may observe/access the meeting online via the Florida Virtual School Board of Trustees YouTube page. The virtual meeting will be streamed directly to this YouTube channel. You can also watch the meeting by clicking on the following link: <https://www.youtube.com/channel/UCSp-oyR-9hroo-cmIumUXCg>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development and discussion of proposed agenda items/matters

which may be presented to the Board at its June 6, 2023, Regular Meeting. Please note that public comment will not be taken, as the Board of Trustees will not take formal and final agency action on any matters at this Workshop Meeting.

Attorney-Client Session: As requested by FLVS's Deputy General Counsel at the March 7, 2023, public meeting of the Board of Trustees, the litigation shade meeting/private attorney-client session conducted pursuant to section 286.011(8), Fla. Stat., is to obtain advice and discuss litigation strategy and expenditures regarding Florida Virtual School v. K12, Inc. and K12 Florida, LLC, currently pending before the United States District Court, Middle District of Florida (Orlando Division) and assigned Case No. 6:20-cv-02354-GAP-EJK.

It is anticipated that the approximate duration of this litigation shade meeting/private attorney-client session will be 30 minutes.

Those persons speaking at or otherwise in attendance at the litigation shade meeting/private attorney-client session shall be limited to those persons permitted under section 286.011(8), Fla. Stat. Accordingly, it is anticipated that the following persons will be in attendance:

Board of Trustees Member John Watret, Ph.D., Chair

Board of Trustees Member Linda Reiter, Co-Chair

Board of Trustees Member Rafael "Tony" Arza, Ph.D.

Board of Trustees Member Robert Kornahrens

Board of Trustees Member Edward Pozzuoli

President and Chief Executive Officer Dr. Louis J. Algaze

General Counsel Dr. David J. D'Agata

Senior Assistant General Counsel Luis R. Guzman

FLVS outside counsel Stephen Luther, Luther Law PLLC

FLVS outside counsel Suzanne Barto Hill, Rumberger, Kirk & Caldwell, PA

FLVS outside counsel Sally Culley, Rumberger, Kirk & Caldwell, PA

FLVS outside counsel Thomas E. Bishop, Bishop & Mills, PLLC

Court Reporter

Pursuant to Florida law, the entire attorney-client session shall be recorded by a certified court reporter. No portion of the attorney-client session shall be off the record. A copy of the transcript will be made part of Florida Virtual School's public record after the litigation has concluded.

A copy of the agenda may be obtained by contacting: Mr. Bruce Moore, Board Clerk, at 5422 Carrier Drive, Suite 201, Orlando, FL 32819; or at (407) 735-1191; or by email to bmoore@flvs.net. It may also be obtained via <https://go.boarddocs.com/fla/flvs/Board.nsf/vpublic?open>

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: Mr. Bruce Moore, Board Clerk, at 5422 Carrier Drive, Suite 201, Orlando, FL 32819; or at (407) 735-1191; or by email to bmoore@flvs.net. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Bruce Moore, Board Clerk, at 5422 Carrier Drive, Suite 201, Orlando, FL 32819; or at (407) 735-1191; or by email to bmoore@flvs.net.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

The FWCJUA Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: June 14, 2023, 10:00 a.m. (ET)

PLACE: Hyatt Regency, Orlando International Airport, 9300 Jeff Fuqua Boulevard, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The approval of minutes; board appointment process; legal, legislative & regulatory matters; financial and operations reports; and committee reports on actuarial services engagement; return of premium dividend; Operations Manual; review of rates, rating plans & policy forms and associated matters to include application forms; executive compensation matters; financial auditing services engagement; 2022 financial audit; update on federal tax matters; Audit Committee Charter procedures checklist; two service provider engagement extensions; office; disaster recovery matters; 2022 Annual Report; 2023 Cause of Loss & Safety Program Analysis; Agency Producer Agreement; agency producer termination, suspension or revocation; agency authorization process; agency producer fees; agency producer activities; Market Assistance Plan; Investment Committee 2023-2024 meeting schedule; investment marketplace update; portfolio compliance review; investment policy & guidelines review; and investment manager performance.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at www.fwcjua.com.

**Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements**

FLORIDA DEPARTMENT OF CORRECTIONS
NOTICE IS HEREBY GIVEN that the Florida Department of Corrections received a Petition for Declaratory Statement on

April 10, 2023, from inmate Melvin Perez, DC# X11781. The petitioner seeks the opinion of the Department regarding the interpretation of Rule 33-602.900, to his particular set of circumstances. The petition seeks to resolve a controversy or answer questions or doubts regarding the interpretation and application of the above-referenced rule by the Department.

Persons whose substantial interests may be affected by a declaratory statement issued in this matter may file a motion to intervene or a petition for administrative hearing within twenty-one (21) days after the publication of this notice. A copy of the Petition for Declaratory Statement may be obtained by contacting: FDC Rule Correspondence, 501 South Calhoun Street, Tallahassee, Florida 32399, FDCRuleCorrespondence@fdc.myflorida.com, (850)717-3605.

**Section VIII
Notice 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 has been filed with the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notice 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 ENVIRONMENTAL PROTECTION
Division of Recreation and Parks
Invitation to Bid BDC32-22/23 Lake Talquin State Park-Dam
Safety Inspections
NOTICE OF INVITATION TO BID: The Florida Department
of Environmental Protection, Bureau of Design and
Construction is soliciting formal, competitive, sealed bids from
contractors for bid number BDC32-22/23, Lake Talquin State
Park-Dam Safety Inspections. More info @
<https://tinyurl.com/4ryfr5h> .

AJAX BUILDING CORPORATION
NOTICE TO BIDDERS: NORTHWEST FLORIDA STATE
COLLEGE - RENOVATIONS TO BUILDING 420 ALLIED
HEALTH AND NURSING; SELECTIVE RENOVATIONS -
BUILDING 500; SELECTIVE RENOVATIONS - BUILDING
3
NORTHWEST FLORIDA STATE COLLEGE
RENOVATIONS TO BUILDING 420 ALLIED HEALTH
AND NURSING (NWFS Niceville Campus)
and the following project-related enabling work:
SELECTIVE RENOVATIONS – BUILDING 500 (NWFS
Niceville Campus)
SELECTIVE RENOVATIONS – BUILDING 3 (NWFS Fort
Walton Beach Campus)
Date 05/08/2023 NOTICE TO BIDDERS
Sealed bids for furnishing all labor and material and performing
all work necessary and incidental to the completion of

Bid Package No. & Description	Building 500 (Niceville Campus) Bid Date - Time	Building 3 (FWB Campus) Bid Date - Time	Building 420 (Niceville Campus) Bid Date - Time
BP 1.02 – Material Testing	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 1.03 – Final Cleaning	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 2.01 – Selective Demolition	Included in other trades	Included in other trades	07/11/2023 – 2:00 p.m.
BP 3.01 – Concrete	N/A	N/A	07/11/2023 – 2:00 p.m.

BP 4.01 – Masonry	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 5.01 – Structural Steel & Misc. Metals	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 7.01 – Waterproofing & Dampproofing	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 7.02 – Metal Wall Panels	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 7.04 – Roofing	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 8.01 – Doors, Frames, & Hardware	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 8.03 – Glass & Glazing	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 9.01 – Drywall	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 9.02 – Hard Tile	N/A	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 9.03 – Acoustical Ceilings	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 9.05 – Carpet & Resilient Flooring	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 9.09 – Painting	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 10.01 – Visual Display Surfaces	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 10.02 – Signage	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 10.05 – Operable Partitions	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 10.03 – Toilet Partitions & Accessories	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 10.10 – Miscellaneous Specialties	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 11.02 – Residential	N/A	N/A	07/11/2023 – 2:00 p.m.

Kitchen Appliances			
BP 12.01 – Casework & Millwork	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 12.02 – Window Blinds	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 14.01 – Elevators	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 21.01 – Fire Suppression Systems	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 22.01 – Plumbing	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 23.01 – HVAC	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 26.01 – Elect , IT, Comm & Audio-Visual	06/01/2023 – 2:00 p.m.	06/06/2023 – 2:00 p.m.	07/11/2023 – 2:00 p.m.
BP 31.01 – Site Work	N/A	N/A	07/11/2023 – 2:00 p.m.
BP 32.04 – Landscaping & Irrigation	N/A	N/A	07/11/2023 – 2:00 p.m.
	All times listed above are Central Standard Time **Dates are subject to change. Notice will be given to prequalified bidders.**		

for Northwest Florida State College – Remodeling of Building 420 Allied Health and Nursing (and project-related enabling work) will be received by Ajax Building Company, LLC at the following two (2) locations:

1. Ajax Building Company LLC, 1080 Commerce Boulevard, Front Desk, Midway, Florida, 32343.
2. Northwest Florida State College, 100 College Boulevard, Building 500 West, First Floor, Niceville, FL, 32578. until 2:00 p.m., Central Standard Time (3:00 p.m., Eastern Standard Time) on the above referenced date(s). Bidders may turn in their bid proposal(s) at either bid location.

Pre-Bid Conferences will be held at each project site on the below listed dates and times. Pre-Bid Conferences are non-mandatory although bidders are encouraged to attend.

Project Component	Pre-Bid Conference
Selective Renovations – Building 500 (NWFSC Niceville Campus)	05/23/2023

Selective Renovations – Building 3 (NWFSC Fort Walton Beach Campus)	05/23/2023
Renovations to Building 420 (NWFSC Niceville Campus) – All Remaining Bid Packages	06/20/2023
** Dates are subject to change. Notice will be given to prequalified bidders.**	

Interested bidders are required to complete Ajax Building Company, LLC’s prequalification process. Only bidders meeting pre-qualification criteria may bid. This prequalification process consists of an Annual Prequalification and a Project-Specific Prequalification. The subcontractor’s financial condition must demonstrate that adequate fixed and liquid assets and equipment are available to properly perform the Subcontract. Bids may be considered non-responsive if bidder has not completed the prequalification process. For contractors, businesses and trades that are regulated by licensing, bidder must be licensed in the State of Florida. Bid Documents for Northwest Florida State College – Renovations to Building 420 Allied Health and Nursing (and enabling projects at Building 500 (NWFSC Niceville Campus) and Building 3 (NWFSC Fort Walton Beach Campus)) are scheduled to be made available electronically as follows:

Project Component	Bid Documents
Selective Renovations – Building 500 (NWFSC Niceville Campus)	05/15/2023
Selective Renovations – Building 3 (NWFSC Fort Walton Beach Campus)	05/15/2023
Renovations to Building 420 (NWFSC Niceville Campus) – All Remaining Bid Packages	06/06/2023
** Dates are subject to change. Notice will be given to prequalified bidders.**	

Interested bidders will receive an invitation to join Ajax Building Company, LLC’s Procure Project Management System where they may obtain the Bid Documents (drawings, specifications, bid packages, addenda, and other bid documents).

No bids may be withdrawn after the scheduled closing time for receipt of same for a period of sixty (60) days.

Proposals shall be sealed and plainly marked, "Bid", with name of project, bid package number and description, name and address of bidder, time and date due.

If you are unable to physically submit your bid proposal in hard copy to Ajax Building Company, LLC, your bid proposal may be submitted via email to roy.kenski@ajaxbuilding.com prior to the bid closing date and time. If bid proposal is submitted via email, bidder shall scan the complete bid proposal submittal (including bid proposal form, bid proposal affidavit, bid

security, and other documents as may be required) and email bid proposal submittal as one (1) electronic (PDF) document. Subject line of email shall be marked “Bid”, with name of project, bid package number and description. Ajax Building Company, LLC must receive the original hard copies of your complete bid proposal submittal (including bid proposal form, bid proposal affidavit, bid security, and other documents as may be required) in our office at 1080 Commerce Boulevard, Midway, Florida 32343 no later than the close of business on the next business day after bids are due. Note: Zip files are not accepted by our email server. If submitting your bid via email, do not include any zip files in attachments. Ajax Building Company, LLC is not responsible for bids that are not received due to rejected emails or emails that have been designated as spam by the email server.

The Construction Manager reserves the right to reject any and all bids received and to waive any and all informalities or irregularities in regard thereto.

Each bid totaling \$40,000 or greater will require bid security and bonding requirements. Bid security and bonding requirements do not apply to bid proposals and subcontract awards totaling less than \$40,000.

For additional information contact Ajax Project Manager, Roy Kenski, at 850-580-6925 or email roy.kenski@ajaxbuilding.com.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State

Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, May 3, 2023 and 3:00 p.m., Tuesday, May 9, 2023.

Rule No.	File Date	Effective Date
6A-1.09401	5/3/2023	5/23/2023
6A-1.09441	5/3/2023	5/23/2023
6A-5.030	5/3/2023	5/23/2023
6A-5.065	5/3/2023	5/23/2023
6A-6.0571	5/3/2023	5/23/2023
6A-6.0576	5/3/2023	5/23/2023
6A-10.0401	5/3/2023	5/23/2023
6A-10.081	5/3/2023	5/23/2023
6A-25.020	5/3/2023	5/23/2023
59A-8.0097	5/4/2023	5/24/2023

59A-8.0216	5/4/2023	5/24/2023
59A-8.0219	5/4/2023	5/24/2023
61G18-12.009	5/3/2023	5/23/2023
61G18-18.001	5/3/2023	5/23/2023
61G18-18.0015	5/3/2023	5/23/2023
64B8-9.002	5/4/2023	5/24/2023
64B12-9.0016	5/4/2023	5/24/2023
64B15-14.015	5/4/2023	5/24/2023
65C-28.008	5/3/2023	5/23/2023
68A-27.003	5/4/2023	5/24/2023
69A-37.501	5/8/2023	5/28/2023
69A-37.502	5/8/2023	5/28/2023
69L-7.501	5/5/2023	5/25/2023

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

Rule No.	File Date	Effective Date
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-6.001	5/10/2022	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****
69L-7.020	10/22/2021	**/**/****
69L-7.730	4/6/2023	**/**/****
69L-7.740	4/6/2023	**/**/****

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Recreation and Parks
NOTICE OF GRANT SUBMISSION PERIOD FOR LAND
AND WATER CONSERVATION FUND (LWCF) +
READINESS AND ENVIRONMENTAL PROTECTION
INTEGRATION (REPI) PARTNERSHIP CHALLENGE
PROGRAM

The Department of Environmental Protection (Department) will accept Fiscal Year 2023-24 grant applications for the Land and Water Conservation Fund (LWCF) + Readiness and Environmental Protection Integration (REPI) Partnership Challenge Program as follows:

APPLICATION SUBMISSION PERIOD: The Department is accepting applications from June 1 through June 15, 2023. Completed applications must be received in office on or before 5:00 p.m. on June 15, 2023.

ELIGIBLE APPLICANTS: Eligible applicants include state agencies and local units of government (e.g., state political subdivisions such as cities, counties, and special purpose districts such as park districts) with a REPI Partnership Agreement in place.

INELIGIBLE APPLICANTS: Although federally recognized Indian Tribes are eligible for LWCF grants, they are not eligible to receive funds under 10 U.S.C 2684a, therefore REPI program funds could not be used to satisfy the non-federal cost share requirements for projects proposed to occur on tribal land. Individuals, nonprofit organizations, and other private entities are not eligible as applicants or subrecipients.

APPLICATION LIMIT PER SUBMISSION CYCLE: The maximum number of applications a project sponsor may submit is limited to one (1) submission per applicant.

ELIGIBLE PROJECT TYPES: The primary purpose of the project must be the acquisition, or acquisition and development, of real property interests or water rights for property in the vicinity of, or ecologically related to, a military installation, range, or airspace.

Acquisition of land may be in fee simple or a lesser interest if sufficient rights, including the right for the public to access and recreate on the site and excluding rights for non-recreation uses, in perpetuity, would be provided.

If the project will include compatible recreation development, LWCF assistance is available for a range of outdoor recreation uses and the facilities needed to support the use and enjoyment of these areas. These include community parks, sports fields and courts, picnic areas, swimming pools, trails, campgrounds, etc. Indoor recreation and other buildings are not eligible but supporting facilities, such as restrooms or changing areas, that facilitate the public's use of a recreation area, can be eligible. If funds received by a State or local government under the REPI program are to be used to satisfy in whole or in part the non-federal cost share requirements of the LWCF Act, project

proponents must coordinate any proposed development or use of facilities with the appropriate military installation(s) to ensure that any development or use is compatible with military mission activities and DOD natural resource management requirements.

ELIGIBLE PROJECT SITES: To be eligible for either an acquisition or combination grant, the project must involve publicly owned land and the project sponsor must secure sufficient legal title and control of the property to ensure that it can be managed and maintained for outdoor recreation in perpetuity and otherwise remain compliant with the conversion provisions of the LWCF Act and regulations (see 54 U.S.C. 200305(f)(3) and 36 CFR 59). The site must be located within an active REPI Partnership Agreement boundary. In addition, if funds provided to a State or local government under the REPI Program are used pursuant to the authority of 10 U.S.C. 2684a(h) to satisfy in whole or in part the non-federal cost share requirements of the LWCF Act, the legal title, control, and use of the property must also comply with the requirements of 10 U.S.C. 2684a, as described below and in Section H. LWCF-assisted outdoor recreation areas and facilities must be open to the public and not limited to special groups (for example, a project open to military families only would not be allowable). Chapter 3 of the LWCF Manual describes project eligibility requirements in detail.

MAXIMUM GRANT REQUEST: The maximum grant amount per project is \$5,000,000, and the minimum grant amount per project is \$250,000. Grant awards are distributed on a reimbursement basis and are contingent upon an apportionment from the National Park Service (NPS) and Department of Defense (DOD), as well as expenditure authorization by the Florida Legislature.

MATCH REQUIREMENTS: A matching share meeting the 1:1 minimum required must be secured or firmly committed at the time of application and must be supported by a signed letter from the partner confirming the type (cash, in-kind, etc.) and amount or value of the contribution. If the project match exceeds the 1:1 requirement, the budget must indicate how the additional funds/in-kind contributions will be used. Further information about eligible costs and cost-sharing requirements can be found in Chapter 5 of the LWCF Manual, 10 U.S.C. 2684a, and 2 C.F.R. 200.306.

APPLICATION PACKETS AND ADDITIONAL DETAILS: LWCF + REPI grant application packets and additional grant details may be obtained electronically at <https://floridadep.gov/Grants> or contacting Land and Recreation Grants Section staff via email at Lauren.Cruz@floridadep.gov, by phone (850) 245-2681 or U.S. Mail at Department of Environmental Protection, Land and Recreation Grants Section, 3900 Commonwealth Boulevard, Mail Station 585, Tallahassee, Florida 32399. See

also, Fla. Stat. § 260.016, and F.A.C. Rule 62S-2 for specific application requirements, processing, and evaluation criteria.

APPLICATION WEBINAR: LWCF + REPI staff will host a webinar to assist potential grant applicants in understanding the application processes for both acquisition and acquisition/development combination projects.

DATE and TIME: Wednesday, May 24, 10:00 a.m.

PLACE: Interested parties may participate via GoToWebinar: Please register in advance at <https://attendee.gotowebinar.com/register/572307227944082784>

After registering, you will receive a confirmation email from customercare@gotowebinar.com containing information about joining the webinar.

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 3 days before the workshop/meeting by contacting: Lauren Cruz, (850)245-2681. 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).

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.
