



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

July 16, 2010

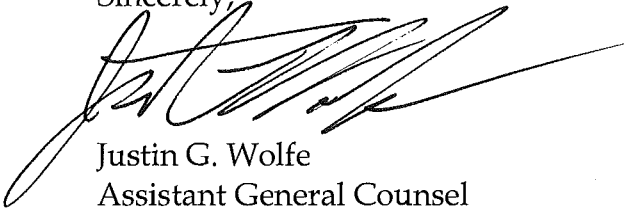
Ms. Suzanne G. Printy
Chief Attorney
Joint Administrative Procedures Committee
Holland Building, Room 120
Tallahassee, Florida 32399-1300

Re: Rule No.: 62-640, Florida Administrative Code
OGC No.: 09-3841

Dear Ms. Printy,

The Department is making changes to the above-referenced rulemaking due to issues raised in the Committee's letter dated June 28, 2010. The Notice of Change was published in the *Florida Administrative Weekly* on July 16, 2010; a copy is enclosed.

Sincerely,



Justin G. Wolfe
Assistant General Counsel

Attachment

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(3) The Department shall not allow the option provision in 40 CFR 141.85(b)(5) that allows an extension of which extends the activities beyond the 60 day requirement stated in 40 CFR 141.85(b)(4) beyond the 60 day requirement stated in 40 CFR 141.85(b)(4).

(4) To fulfill the noticing requirements in 40 CFR 141.90(f)(2)-(3), the Department hereby adopts and incorporates Form 62-555.900(16), PWS Certification of Notification of Lead and Copper Tap Sample Results, (effective date), and Form 62-555.900(17), Lead Public Education Program Report for PWSs, (effective date). These forms are available as described in Rule 62-555.900, F.A.C.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-640.700
 RULE TITLE: Requirements for Land Application of Class AA, A, and B Biosolids
 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. 35, No. 44, November 6, 2009 issue of the Florida Administrative Weekly.

The below language also reflects the changes of a previous Notice of Change published for this rule in Vol 36, No. 23, June 11, 2010 issue of the FAW.

62-640.700 Requirements for Land Application of Class AA, A, and B Biosolids.

- (1) through (5) No change.
- (6) General Application Site Requirements.
 - (a) No change.

(b) Beginning within one year of (the effective date of the rule), Class A and Class B biosolids treated by alkaline addition shall be applied by the best management practice of incorporation or injection unless the application area is located at a distance greater than one-quarter mile from the application site property line. This distance shall may be decreased to the setback distance provided by subparagraph 62-640.700(8)(b)2., F.A.C., if the affected adjacent property owner provides written consent.

- (c) through (f) No change.
- (7) No change.
- (8) Setback Distances.

(a) The following setback distances shall apply to land application sites that accept either Class A or Class B biosolids.

1. The biosolids land application zone shall not be located closer than 1000 feet to any Class I water body, Outstanding Florida Water or Outstanding National Resource Water, or 200 feet from any other surface water of the state as defined in Section 403.031, F.S. This setback does not apply to waters owned entirely by one person other than the state, nor to canals or bodies of water used for irrigation or drainage, which are

located completely within the application site and will not discharge from the application site. The setback area shall be vegetated. The 200 foot setback distance from surface waters shall may be reduced to 100 feet if the biosolids are injected or incorporated into the soil.

2. through 3. No change.

4. Biosolids shall not be stored or stockpiled at a land application site within 1320 feet of a building occupied by the general public. This distance shall may be decreased to the setback distance provided by subparagraph 62-640.700(8)(b)1., F.A.C., if the owner of the building provides written consent.

(b) The following additional setback distances shall apply to land application sites that accept Class B biosolids.

1. Class B biosolids shall not be applied within 300 feet of a building occupied by the general public. This distance shall may be reduced to 100 feet if biosolids are injected into the soil or if written permission is obtained from the building owner.

2. No change.

(9) through (12) No change.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-2.016
 RULE TITLE: Forms

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-62.023
 RULE TITLE: Criteria for Identifying Firefighter Employers with a High Frequency or Severity of Injuries

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. 36, No. 20, May 21, 2010 issue of the Florida Administrative Weekly.

69A-62.023 Criteria for Identifying Firefighter Employers with a High Frequency or Severity of Injuries.

(1) through (3) No change.

(4) A firefighter employer identified as having a high frequency or severity of injuries must submit a firefighter employee safety and health program in accordance with Rule 69A-62.021, F.A.C., for approval by the State Fire Marshal in accordance with Section 633.809, F.S. The Department will use the safety and health program to inspect the identified firefighter employer. If a firefighter employer so identified has not developed its own approved Safety and Health Program,

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